



Iowa General Assembly
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House Amendment 1700

PAG LIN

1 1 Amend Senate File 466, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. By striking everything after the enacting clause
1 4 and inserting:
1 5 <Section 1. NEW SECTION. 103A.71 Residential
1 6 contractors.
1 7 1. As used in this section:
1 8 a. "Catastrophe" means a natural occurrence
1 9 including but not limited to fire, earthquake, tornado,
1 10 windstorm, flood, or hail storm, which damages or
1 11 destroys residential real estate.
1 12 b. "Residential contractor" means a person in
1 13 the business of contracting to repair or replace
1 14 residential roof systems or perform any other
1 15 exterior repair, exterior replacement, or exterior
1 16 reconstruction work resulting from a catastrophe
1 17 on residential real estate or a person offering to
1 18 contract with an owner or possessor of residential real
1 19 estate to carry out such work.
1 20 c. "Residential real estate" means a new or existing
1 21 building, including a detached garage, constructed for
1 22 habitation by one to four families.
1 23 d. "Roof system" includes roof coverings, roof
1 24 sheathing, roof weatherproofing, and roof insulation.
1 25 2. A residential contractor shall not advertise
1 26 or promise to rebate any insurance deductible or
1 27 any portion thereof as an inducement to the sale of
1 28 goods or services. A promise to rebate any insurance
1 29 deductible includes granting any allowance or offering
1 30 any discount against the fees to be charged or paying
1 31 a person directly or indirectly associated with the
1 32 residential real estate any form of compensation,
1 33 except for items of nominal value. A residential
1 34 contractor may display a sign or any other type of
1 35 advertisement on a person's premises provided the
1 36 person consents to the display and the person receives
1 37 no compensation from the residential contractor for the
1 38 placement of the sign or advertising.
1 39 3. A residential contractor shall not represent
1 40 or negotiate on behalf of, or offer or advertise
1 41 to represent or negotiate on behalf of, an owner or
1 42 possessor of residential real estate on any insurance
1 43 claim in connection with the repair or replacement
1 44 of roof systems, or the performance of any other
1 45 exterior repair, exterior replacement, or exterior
1 46 reconstruction work on the residential real estate.
1 47 4. a. A residential contractor contracting to
1 48 provide goods or services to repair damage resulting
1 49 from a catastrophe shall provide the person with whom
1 50 it is contracting a fully completed duplicate notice in



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2 1 at least ten=point bold type which shall contain the
2 2 following statement:
2 3 NOTICE OF BINDING CONTRACT
2 4 You are entering into a legally binding contract
2 5 with (insert name of residential contractor) to provide
2 6 goods and services to repair damage resulting from
2 7 a naturally occurring catastrophe including but not
2 8 limited to a fire, earthquake, tornado, windstorm,
2 9 flood, or hail storm. Except as described in the next
2 10 sentence, you are responsible for payment to (insert
2 11 name of residential contractor) for the cost of all
2 12 goods and services provided whether or not you receive
2 13 payment from any property and casualty insurance
2 14 policy with respect to the damage. Your contract
2 15 with (insert name of residential contractor) is void
2 16 and you have no responsibility for payment under the
2 17 contract if (insert name of residential contractor)
2 18 either advertises or promises to rebate all or any
2 19 portion of your insurance deductible, or represents or
2 20 negotiates, or offers to represent or negotiate, on
2 21 your behalf with your property and casualty insurance
2 22 company on any insurance claim relating to the damage
2 23 you have contracted to have repaired. Your signature
2 24 below acknowledges your understanding of these legal
2 25 obligations and rights.
2 26
2 27 _____
2 27 Date
2 28
2 29 _____
2 29 Signature
2 30 b. The notice shall be executed by the person with
2 31 whom the residential contractor is contracting prior to
2 32 or contemporaneously with entering into the contract.
2 33 5. A contract entered into with a residential
2 34 contractor is void if the residential contractor
2 35 violates subsection 2, 3, or 4.
2 36 6. A residential contractor violating this section
2 37 is subject to the penalties and remedies prescribed by
2 38 this chapter.
2 39 Sec. 2. APPLICABILITY. This Act applies to
2 40 contracts entered into on or after the effective date
2 41 of this Act.>
2 42 #2. Title page, line 2, after <penalty> by inserting
2 43 <and including applicability provisions>

BALTIMORE of Boone
SF466.2991 (2) 84
je/rj



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House Amendment 1701

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1 1 Amend Senate File 526, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 4, line 16, after <99D.8A.> by inserting <A
1 4 resident of this state establishing an advanced deposit
1 5 wagering account shall only deposit moneys into the
1 6 account in person at the horse racetrack located in
1 7 Polk county.>
1 8 #2. By renumbering as necessary.

COWNIE of Polk
SF526.2986 (1) 84
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House Amendment 1702

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1 1 Amend House File 648, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. By striking everything after the enacting clause
1 4 and inserting:
1 5
1 6 <DIVISION I
1 7 REBUILD IOWA INFRASTRUCTURE FUND
1 8 Section 1. There is appropriated from the rebuild
1 9 Iowa infrastructure fund to the following departments
1 10 and agencies for the following fiscal years, the
1 11 following amounts, or so much thereof as is necessary,
1 12 to be used for the purposes designated:
1 13 1. DEPARTMENT OF ADMINISTRATIVE SERVICES
1 14 For projects related to major repairs and major
1 15 maintenance and for state buildings and facilities:
1 16 FY 2011=2012..... \$ 3,000,000
1 17 a. Of the amount appropriated in this subsection,
1 18 \$1,200,000 shall be allocated for exterior repairs and
1 19 related improvements to the state historical building.
1 20 b. The department may use any remaining amounts
1 21 appropriated in this subsection for routine maintenance
1 22 as necessary, notwithstanding section 8.57, subsection
1 23 6, paragraph "c".
1 24 2. DEPARTMENT FOR THE BLIND
1 25 For replacement of air handlers and related
1 26 improvements:
1 27 FY 2011=2012..... \$ 1,065,674
1 28 3. DEPARTMENT OF CORRECTIONS
1 29 a. For the construction project and one-time
1 30 furniture, fixture, and equipment costs at Fort
1 31 Madison:
1 32 FY 2011=2012..... \$ 5,155,077
1 33 FY 2012=2013..... \$ 18,269,124
1 34 FY 2013=2014..... \$ 3,000,000
1 35 b. For the construction project and one-time
1 36 equipment costs at the Iowa correctional facility for
1 37 women at Mitchellville:
1 38 FY 2011=2012..... \$ 3,361,556
1 39 FY 2012=2013..... \$ 5,391,062
1 40 FY 2013=2014..... \$ 26,769,040
1 41 4. DEPARTMENT OF CULTURAL AFFAIRS
1 42 For deposit into the Iowa great places program
1 43 fund created in section 303.3D for Iowa great places
1 44 program projects that meet the definition of the term
1 45 "vertical infrastructure" in section 8.57, subsection
1 46 6, paragraph "c":
1 47 FY 2011=2012..... \$ 1,000,000
1 48 5. DEPARTMENT OF ECONOMIC DEVELOPMENT
1 49 a. For accelerated career education program capital
1 50 projects at community colleges that are authorized
under chapter 260G and that meet the definition of



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House Amendment 1702 continued

2 1 vertical infrastructure in section 8.57, subsection 6,
2 2 paragraph "c":
2 3 FY 2011=2012..... \$ 5,000,000
2 4 b. For equal distribution to regional sports
2 5 authority districts certified by the department
2 6 pursuant to section 15E.321, notwithstanding section
2 7 8.57, subsection 6, paragraph "c":
2 8 FY 2011=2012..... \$ 500,000
2 9 c. For costs associated with the renovation,
2 10 expansion, and improvements of exhibits as part of a
2 11 zoo capital campaign located in a central Iowa city
2 12 with a population between one hundred ninety=five
2 13 thousand and two hundred five thousand as determined by
2 14 the 2010 federal decennial census:
2 15 FY 2011=2012..... \$ 500,000
2 16 d. For interior and exterior renovations and
2 17 repairs, including improved energy efficiencies and
2 18 compliance with the federal Americans with Disabilities
2 19 Act, for cabins at a year=round camp for persons with
2 20 disabilities in a central Iowa city with a population
2 21 between one hundred ninety=five thousand and two
2 22 hundred five thousand as determined by the 2010 federal
2 23 decennial census:
2 24 FY 2011=2012..... \$ 250,000
2 25 e. For administration and support of the world
2 26 food prize including the Borlaug/Ruan scholar program,
2 27 notwithstanding section 8.57, subsection 6, paragraph
2 28 "c":
2 29 FY 2011=2012..... \$ 100,000
2 30 6. DEPARTMENT OF EDUCATION
2 31 a. To the public broadcasting division for the
2 32 purchase of a building in a city with a population
2 33 between seventeen thousand two hundred and seventeen
2 34 thousand three hundred as determined by the 2010
2 35 federal decennial census:
2 36 FY 2011=2012..... \$ 1,255,550
2 37 b. For major renovation and major repair needs,
2 38 including health, life, and fire safety needs and for
2 39 compliance with the federal Americans with Disabilities
2 40 Act, for state buildings and facilities under the
2 41 purview of the community colleges:
2 42 FY 2011=2012..... \$ 1,000,000
2 43 7. DEPARTMENT OF HUMAN SERVICES
2 44 For the renovation and construction of certain
2 45 nursing facilities, consistent with the provisions of
2 46 chapter 249K:
2 47 FY 2011=2012..... \$ 285,000
2 48 8. DEPARTMENT OF NATURAL RESOURCES
2 49 a. For floodplain management and dam safety,
2 50 notwithstanding section 8.57, subsection 6,



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House Amendment 1702 continued

3 1 paragraph "c":
3 2 FY 2011=2012..... \$ 2,000,000
3 3 Of the amounts appropriated in this lettered
3 4 paragraph, up to \$400,000 is authorized for stream
3 5 gages to be used for tracking and predicting flood
3 6 events and for compiling necessary data relating to
3 7 flood frequency analysis.
3 8 b. For implementation of lake projects that
3 9 have established watershed improvement initiatives
3 10 and community support in accordance with the
3 11 department's annual lake restoration plan and report,
3 12 notwithstanding section 8.57, subsection 6, paragraph
3 13 "c":
3 14 FY 2011=2012..... \$ 5,000,000
3 15 Of the amount appropriated in this lettered
3 16 paragraph, \$350,000 shall be allocated for a lake with
3 17 public access that has the support of a benefited
3 18 lake district located in a county with a population
3 19 between seventeen thousand seven hundred and seventeen
3 20 thousand eight hundred as determined by the 2010
3 21 federal decennial census. The allocated moneys shall
3 22 be used for purposes of completing a preconstruction
3 23 dam restoration study that would include a geotechnical
3 24 evaluation, hydrological studies, restoration
3 25 alternatives, and construction specifications.
3 26 c. For the administration of a water trails and
3 27 low head dam public hazard statewide plan, including
3 28 salaries, support, maintenance, and miscellaneous
3 29 purposes, notwithstanding section 8.57, subsection 6,
3 30 paragraph "c":
3 31 FY 2011=2012..... \$ 75,000
3 32 d. For costs associated with the hiring and
3 33 employment of an asset manager at Honey creek resort
3 34 state park, notwithstanding section 8.57, subsection
3 35 6, paragraph "c":
3 36 FY 2011=2012..... \$ 100,000
3 37 e. For costs associated with dam repair for a lake
3 38 with public access that has the support of a benefitted
3 39 lake district located in a county with a population
3 40 between seventeen thousand seven hundred and seventeen
3 41 thousand eight hundred as determined by the 2010
3 42 federal decennial census:
3 43 FY 2012=2013..... \$ 2,500,000
3 44 FY 2013=2014..... \$ 2,500,000
3 45 Moneys appropriated for each fiscal year in this
3 46 lettered paragraph are contingent upon receipt of
3 47 moneys on a dollar=for=dollar matching basis from any
3 48 source for each fiscal year.
3 49 9. DEPARTMENT OF PUBLIC DEFENSE
3 50 a. For major maintenance projects at national guard



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House Amendment 1702 continued

4 1 armories and facilities:
4 2 FY 2011=2012..... \$ 1,500,000
4 3 b. For renovation and facility improvements at the
4 4 Muscatine readiness center:
4 5 FY 2011=2012..... \$ 100,000
4 6 c. For construction improvement projects at
4 7 statewide readiness centers:
4 8 FY 2011=2012..... \$ 1,800,000
4 9 d. For construction upgrades at Camp Dodge
4 10 including sanitary system and sewer system
4 11 improvements:
4 12 FY 2011=2012..... \$ 1,000,000
4 13 e. For renovation, repair, and related improvements
4 14 at the joint forces headquarters building:
4 15 FY 2011=2012..... \$ 1,000,000
4 16 10. DEPARTMENT OF PUBLIC SAFETY
4 17 To develop a public=private partnership for the
4 18 provision of a statewide public safety radio network
4 19 and the purchase of compatible radio communications
4 20 equipment with the goal of achieving compliance with
4 21 the federal communications commission's narrowbanding
4 22 mandate deadline, and "interoperability" as defined in
4 23 section 80.28, notwithstanding section 8.57, paragraph
4 24 "c":
4 25 FY 2011=2012..... \$ 2,500,000
4 26 FY 2012=2013..... \$ 2,500,000
4 27 FY 2013=2014..... \$ 2,500,000
4 28 On or before January 13, 2012, the department of
4 29 public safety shall provide a report to the legislative
4 30 services agency and the department of management.
4 31 The report shall include the estimated needs of the
4 32 departments of public safety, corrections, and natural
4 33 resources to achieve interoperability and meet the
4 34 federal narrowbanding mandate, any changes in estimated
4 35 costs to meet those needs, and the status of requests
4 36 for proposals to develop a public=private partnership.
4 37 11. BOARD OF REGENTS
4 38 a. For allocation by the state board of regents to
4 39 the state university of Iowa, the Iowa state university
4 40 of science and technology, and the university of
4 41 northern Iowa to reimburse the institutions for
4 42 deficiencies in the operating funds resulting from
4 43 the pledging of tuition, student fees and charges,
4 44 and institutional income to finance the cost of
4 45 providing academic and administrative buildings and
4 46 facilities and utility services at the institutions,
4 47 notwithstanding section 8.57, subsection 6, paragraph
4 48 "c":
4 49 FY 2011=2012..... \$ 24,305,412
4 50 b. For the Iowa flood center at the state



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5 1 university of Iowa for use by the university's
5 2 college of engineering, pursuant to section 466C.1,
5 3 notwithstanding section 8.57, subsection 6, paragraph
5 4 "c":
5 5 FY 2011=2012..... \$ 1,300,000
5 6 c. For construction, renovation, and related
5 7 improvements for phase II of the agricultural and
5 8 biosystems engineering complex, including classrooms,
5 9 laboratories, and offices at Iowa state university of
5 10 science and technology:
5 11 FY 2011=2012..... \$ 2,000,000
5 12 FY 2012=2013..... \$ 19,800,000
5 13 FY 2013=2014..... \$ 20,000,000
5 14 FY 2014=2015..... \$ 18,600,000
5 15 d. For the renovation and related improvements to
5 16 the dental science building at the state university
5 17 of Iowa including but not limited to renovation of
5 18 clinical spaces and development of a multidisciplinary
5 19 clinical area:
5 20 FY 2011=2012..... \$ 2,000,000
5 21 FY 2012=2013..... \$ 11,000,000
5 22 FY 2013=2014..... \$ 8,000,000
5 23 FY 2014=2015..... \$ 8,000,000
5 24 e. For renovation and related improvements for
5 25 Bartlett hall at the university of northern Iowa
5 26 including providing faculty offices, seminar rooms,
5 27 and laboratories in the building and the associated
5 28 demolition of Baker hall:
5 29 FY 2011=2012..... \$ 2,000,000
5 30 FY 2012=2013..... \$ 7,286,000
5 31 FY 2013=2014..... \$ 9,767,000
5 32 FY 2014=2015..... \$ 1,947,000
5 33 12. DEPARTMENT OF TRANSPORTATION
5 34 a. For acquiring, constructing, and improving
5 35 recreational trails within the state:
5 36 FY 2011=2012..... \$ 2,500,000
5 37 Of the amount appropriated in this lettered
5 38 paragraph "a", \$500,000 shall be allocated for the
5 39 development of a connecting trail and for bicycle
5 40 boulevard improvements in a central Iowa city with a
5 41 population between one hundred ninety=five thousand and
5 42 two hundred five thousand as determined by the 2010
5 43 federal decennial census.
5 44 Of the amount appropriated in this lettered
5 45 paragraph "a", \$112,000 shall be allocated for the
5 46 planning and development of the Iowa portion of the
5 47 Mississippi river trail located in a county with a
5 48 population between forty=two thousand and forty=three
5 49 thousand in the latest preceding certified federal
5 50 census and a county with a population between one



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6 1 hundred sixty thousand and one hundred seventy=five
6 2 thousand in the latest preceding certified federal
6 3 census.
6 4 b. For deposit into the public transit
6 5 infrastructure grant fund created in section 324A.6A,
6 6 for projects that meet the definition of "vertical
6 7 infrastructure" in section 8.57, subsection 6,
6 8 paragraph "c":
6 9 FY 2011=2012..... \$ 1,500,000
6 10 c. For infrastructure improvements at the
6 11 commercial service airports within the state:
6 12 FY 2011=2012..... \$ 1,500,000
6 13 d. For infrastructure improvements at general
6 14 aviation airports within the state:
6 15 FY 2011=2012..... \$ 750,000
6 16 13. TREASURER OF STATE
6 17 For distribution in accordance with chapter 174 to
6 18 qualified fairs which belong to the association of Iowa
6 19 fairs for county fair infrastructure improvements:
6 20 FY 2011=2012..... \$ 1,060,000
6 21 14. DEPARTMENT OF VETERANS AFFAIRS
6 22 a. For transfer to the Iowa finance authority for
6 23 the continuation of the home ownership assistance
6 24 program for persons who are or were eligible members
6 25 of the armed forces of the United States, pursuant to
6 26 section 16.54, notwithstanding section 8.57, subsection
6 27 6, paragraph "c":
6 28 FY 2011=2012..... \$ 1,000,000
6 29 b. For the Iowa veterans home to upgrade generator
6 30 emissions controls to meet required stack emissions for
6 31 four generators and related improvements:
6 32 FY 2011=2012..... \$ 750,000
6 33 Sec. 2. REVERSION. For purposes of section 8.33,
6 34 unless specifically provided otherwise, unencumbered
6 35 or unobligated moneys made from an appropriation in
6 36 this division of this Act shall not revert but shall
6 37 remain available for expenditure for the purposes
6 38 designated until the close of the fiscal year that ends
6 39 three years after the end of the fiscal year for which
6 40 the appropriation is made. However, if the project
6 41 or projects for which such appropriation was made are
6 42 completed in an earlier fiscal year, unencumbered or
6 43 unobligated moneys shall revert at the close of that
6 44 same fiscal year.
6 45 DIVISION II
6 46 TECHNOLOGY REINVESTMENT FUND
6 47 Sec. 3. There is appropriated from the technology
6 48 reinvestment fund created in section 8.57C to the
6 49 following departments and agencies for the following
6 50 fiscal years, the following amounts, or so much



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7 1 thereof as is necessary, to be used for the purposes
7 2 designated:
7 3 1. DEPARTMENT OF ADMINISTRATIVE SERVICES
7 4 For technology improvement projects:
7 5 FY 2011=2012..... \$ 1,557,904
7 6 2. DEPARTMENT OF CORRECTIONS
7 7 For costs associated with the Iowa corrections
7 8 offender network data system:
7 9 FY 2011=2012..... \$ 500,000
7 10 3. DEPARTMENT OF EDUCATION
7 11 a. For maintenance and lease costs associated with
7 12 connections for part III of the Iowa communications
7 13 network:
7 14 FY 2011=2012..... \$ 2,727,000
7 15 b. For the implementation of an educational data
7 16 warehouse that will be utilized by teachers, parents,
7 17 school district administrators, area education agency
7 18 staff, department of education staff, and policymakers:
7 19 FY 2011=2012..... \$ 600,000
7 20 The department may use a portion of the moneys
7 21 appropriated in this lettered paragraph for an
7 22 e=transcript data system capable of tracking students
7 23 throughout their education via interconnectivity with
7 24 multiple schools.
7 25 4. DEPARTMENT OF HUMAN RIGHTS
7 26 For the cost of equipment and computer software
7 27 for the implementation of Iowa's criminal justice
7 28 information system:
7 29 FY 2011=2012..... \$ 1,689,307
7 30 5. DEPARTMENT OF HUMAN SERVICES
7 31 For the purchase of software and for training costs
7 32 associated with the purchase of the software for a
7 33 community-based, nonprofit, nonresidential program
7 34 serving persons with disabilities, notwithstanding
7 35 section 8.57C, subsection 2:
7 36 FY 2011=2012..... \$ 11,000
7 37 6. IOWA TELECOMMUNICATIONS AND TECHNOLOGY
7 38 COMMISSION
7 39 For replacement of equipment for the Iowa
7 40 communications network:
7 41 FY 2011=2012..... \$ 2,237,653
7 42 The commission may continue to enter into contracts
7 43 pursuant to section 8D.13 for the replacement of
7 44 equipment and for operation and maintenance costs of
7 45 the network.
7 46 In addition to funds appropriated in this
7 47 subsection, the commission may use a financing
7 48 agreement entered into by the treasurer of state in
7 49 accordance with section 12.28 for the replacement
7 50 of equipment for the network. For purposes of this



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8 1 subsection, the treasurer of state is not subject to
8 2 the maximum principal limitation contained in section
8 3 12.28, subsection 6. Repayment of any amounts financed
8 4 shall be made from receipts associated with fees
8 5 charged for use of the network.
8 6 7. DEPARTMENT OF MANAGEMENT
8 7 To develop a searchable database that can be placed
8 8 on the internet for budget and financial information:
8 9 FY 2011=2012..... \$ 580,000
8 10 8. DEPARTMENT OF PUBLIC SAFETY
8 11 a. For transfer to a firefighter association in a
8 12 county with a population between ninety thousand and
8 13 ninety=five thousand as determined by the 2010 federal
8 14 decennial census for a driving simulator to enhance the
8 15 association's emergency vehicle operations course:
8 16 FY 2011=2012..... \$ 80,000
8 17 b. For the purchase of an emergency diesel
8 18 generator for radio communications for a county with
8 19 a population between seventeen thousand and seventeen
8 20 thousand one hundred fifty as determined by the 2010
8 21 federal decennial census:
8 22 FY 2011=2012..... \$ 20,000
8 23 Sec. 4. REVERSION. For purposes of section 8.33,
8 24 unless specifically provided otherwise, unencumbered
8 25 or unobligated moneys made from an appropriation in
8 26 this division of this Act shall not revert but shall
8 27 remain available for expenditure for the purposes
8 28 designated until the close of the fiscal year that ends
8 29 three years after the end of the fiscal year for which
8 30 the appropriation is made. However, if the project
8 31 or projects for which such appropriation was made are
8 32 completed in an earlier fiscal year, unencumbered or
8 33 unobligated moneys shall revert at the close of that
8 34 same fiscal year.
8 35 DIVISION III
8 36 REVENUE BONDS CAPITALS
8 37 FUND ==== APPROPRIATIONS
8 38 Sec. 5. There is appropriated from the revenue
8 39 bonds capitals fund created in section 12.88, to the
8 40 department of corrections for the fiscal year beginning
8 41 July 1, 2011, and ending June 30, 2012, the following
8 42 amount, or so much thereof as is necessary, to be used
8 43 for the purposes designated:
8 44 For the construction project and one=time equipment
8 45 costs at the Iowa correctional facility for women at
8 46 Mitchellville:
8 47 \$ 4,130,952
8 48 For purposes of section 8.33, unless specifically
8 49 provided otherwise, unencumbered or unobligated moneys
8 50 made from an appropriation in this section shall not



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9 1 revert but shall remain available for expenditure for
9 2 the purposes designated until the close of the fiscal
9 3 year that ends three years after the end of the fiscal
9 4 year for which the appropriation was made. However, if
9 5 the project or projects for which such appropriation
9 6 was made are completed in an earlier fiscal year,
9 7 unencumbered or unobligated moneys shall revert at the
9 8 close of that same fiscal year.
9 9
9 10 DIVISION IV
9 11 GROW IOWA VALUES FUND
9 12 Sec. 6. In lieu of the appropriation pursuant to
9 13 section 15G.110, subsection 1, for the fiscal year
9 14 beginning July 1, 2011, and ending June 30, 2012, there
9 15 is appropriated from the rebuild Iowa infrastructure
9 16 fund to the department of economic development for
9 17 deposit in the grow Iowa values fund, the following
9 18 amount, notwithstanding section 8.57, subsection 6,
9 19 paragraph "c":
9 20 \$ 10,620,000
9 21 Sec. 7. GROW IOWA VALUES FUND APPROPRIATION
9 22 REDUCTION. In lieu of the appropriation pursuant to
9 23 section 15G.111, subsection 3, for the fiscal year
9 24 beginning July 1, 2011, and ending June 30, 2012, there
9 25 is appropriated from the grow Iowa values fund to
9 26 the department of economic development the following
9 27 amount, for the purposes of making expenditures
9 28 pursuant to chapter 15G:
9 29 \$ 10,620,000
9 30 Sec. 8. GROW IOWA VALUES FUND ALLOCATIONS. In lieu
9 31 of the amounts allocated pursuant to section 15G.111,
9 32 subsections 4 through 11, for the fiscal year beginning
9 33 July 1, 2011, and ending June 30, 2012, of the moneys
9 34 appropriated to the department of economic development
9 35 pursuant to this division of this Act for the fiscal
9 36 year beginning July 1, 2011, and ending June 30, 2012,
9 37 the department shall allocate the following amounts for
9 38 the following purposes described in section 15G.111,
9 39 subsections 4 through 11:
9 40 1. For the state board of regents institutions:
9 41 \$ 2,500,000
9 42 2. For state parks:
9 43 \$ 500,000
9 44 3. For deposit in the Iowa cultural trust fund:
9 45 \$ 500,000
9 46 4. For community colleges for deposit in the
9 47 workforce training and economic development funds
9 48 pursuant to section 260C.18A:
9 49 \$ 4,000,000
9 50 5. For regional financial assistance:
9 \$ 500,000



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10 1 From the moneys allocated pursuant to this
10 2 subsection and in lieu of the moneys transferred
10 3 under section 15G.111, subsection 9, paragraph "a", to
10 4 Iowa state university of science and technology, the
10 5 department shall transfer the following amounts for
10 6 the following fiscal years to Iowa state university
10 7 of science and technology, for purposes of providing
10 8 financial assistance to establish small business
10 9 development centers:

10 10	\$	175,000
10 11 6. For innovation and commercialization services:		
10 12	\$	2,062,500
10 13 7. For targeted small businesses:		
10 14	\$	557,500

10 15 Sec. 9. REVERSION. For purposes of section 8.33,
10 16 unless specifically provided otherwise, unencumbered
10 17 or unobligated moneys made from an appropriation in
10 18 this division of this Act shall not revert but shall
10 19 remain available for expenditure for the purposes
10 20 designated until the close of the fiscal year that ends
10 21 three years after the end of the fiscal year for which
10 22 the appropriation is made. However, if the project
10 23 or projects for which such appropriation was made are
10 24 completed in an earlier fiscal year, unencumbered or
10 25 unobligated moneys shall revert at the close of that
10 26 fiscal year.

10 27 DIVISION V

10 28 MISCELLANEOUS CODE CHANGES

10 29 Sec. 10. Section 8.57, subsection 6, paragraph f,
10 30 Code 2011, is amended to read as follows:

10 31 f. There is appropriated from the rebuild Iowa
10 32 infrastructure fund to the secure an advanced vision
10 33 for education fund created in section 423F.2, for each
10 34 fiscal year of the fiscal period beginning July 1,
10 35 2008, and ending June 30, 2010, ~~and for each fiscal~~
~~10 36 year of the fiscal period beginning July 1, 2011,~~
~~10 37 and ending June 30, 2014,~~ the amount of the moneys
10 38 in excess of the first forty-seven million dollars
10 39 credited to the rebuild Iowa infrastructure fund during
10 40 the fiscal year, not to exceed ten million dollars.

10 41 Sec. 11. Section 8.57A, subsection 4, Code 2011, is
10 42 amended to read as follows:

10 43 4. a. There is appropriated from the rebuild
10 44 Iowa infrastructure fund for the fiscal ~~years~~ year
10 45 beginning July 1, ~~2008, July 1, 2009, and July 1, 2011~~
~~10 46 2012,~~ and for each fiscal year thereafter, the sum
10 47 of forty-two million dollars to the environment first
10 48 fund, notwithstanding section 8.57, subsection 6,
10 49 paragraph "c".

10 50 b. There is appropriated from the rebuild Iowa



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11 1 infrastructure fund each fiscal year for the ~~fiscal~~
11 2 ~~year period~~ beginning July 1, 2010, and ending June 30,
11 3 ~~2011~~ 2012, the sum of thirty=three million dollars to
11 4 the environment first fund, notwithstanding section
11 5 8.57, subsection 6, paragraph "c".
11 6 Sec. 12. Section 8.57C, subsection 3, paragraphs a
11 7 and c, Code 2011, are amended to read as follows:
11 8 a. There is appropriated from the general fund of
11 9 the state for the fiscal ~~years~~ year beginning ~~July 1,~~
11 10 ~~2006, July 1, 2007,~~ July 1, 2011 2012, and for each
11 11 subsequent fiscal year thereafter, the sum of seventeen
11 12 million five hundred thousand dollars to the technology
11 13 reinvestment fund.
11 14 c. There is appropriated from the rebuild Iowa
11 15 infrastructure fund for ~~the~~ each fiscal year of the
11 16 period beginning July 1, 2010, and ending June 30,
11 17 2012, the sum of ten million dollars to the technology
11 18 reinvestment fund, notwithstanding section 8.57,
11 19 subsection 6, paragraph "c".
11 20 Sec. 13. Section 8A.321, subsection 6, Code 2011,
11 21 is amended by adding the following new paragraph:
11 22 NEW PARAGRAPH. d. The department shall issue a
11 23 request for proposals for leasing privately owned
11 24 office space for state employees in the downtown
11 25 area of the city of Des Moines prior to replacing or
11 26 renovating publicly owned buildings or relocating
11 27 any state agencies to any space in publicly owned
11 28 buildings. The department shall locate state employees
11 29 in office space in the most cost=efficient manner
11 30 possible. In determining cost efficiency, the
11 31 department shall consider all costs of the publicly
11 32 owned space, the costs of the original acquisition
11 33 of the publicly owned space, the costs of tenant
11 34 improvements to the publicly owned space, and the
11 35 anticipated economic and useful life of the publicly
11 36 owned building.
11 37 Sec. 14. Section 12.82, subsection 1, Code 2011, is
11 38 amended to read as follows:
11 39 1. A school infrastructure fund is created and
11 40 established as a separate and distinct fund in the
11 41 state treasury under the control of the department of
11 42 education. ~~The~~ Notwithstanding any other provision
11 43 of this chapter, the fund shall be used for purposes
11 44 of the school infrastructure program established in
11 45 section 292.2.
11 46 Sec. 15. Section 12.82, Code 2011, is amended by
11 47 adding the following new subsection:
11 48 NEW SUBSECTION. 3A. Any amounts remaining in the
11 49 school infrastructure fund at the end of the fiscal
11 50 year beginning July 1, 2010, and for each fiscal year



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12 1 thereafter, which are determined by the treasurer of
12 2 state to be unencumbered and unobligated and otherwise
12 3 unnecessary to make the payments for such fiscal year,
12 4 shall be transferred to the rebuild Iowa infrastructure
12 5 fund.

12 6 Sec. 16. Section 15F.204, subsection 8, paragraph
12 7 a, subparagraph (6), Code 2011, is amended to read as
12 8 follows:

12 9 (6) For the fiscal year beginning July 1, 2011, and
12 10 ending June 30, 2012, the sum of five million three
12 11 hundred thousand dollars.

12 12 Sec. 17. Section 15F.204, subsection 8, paragraph
12 13 b, Code 2011, is amended by striking the paragraph.

12 14 Sec. 18. Section 16.193, subsection 2, Code 2011,
12 15 is amended to read as follows:

12 16 2. ~~During the term of the Iowa jobs program~~

~~12 17 established in section 16.194 and the Iowa jobs II~~

~~12 18 program established in section 16.194A~~ For the period

12 19 beginning July 1, 2009, and ending June 30, 2011, two

12 20 hundred thousand dollars of the moneys deposited in the

12 21 rebuild Iowa infrastructure fund shall be allocated

12 22 each fiscal year to the Iowa finance authority for

12 23 purposes of administering the Iowa jobs program,

12 24 notwithstanding section 8.57, subsection 6, paragraph

12 25 "c".

12 26 Sec. 19. EFFECTIVE UPON ENACTMENT. The section of
12 27 this division amending section 12.82, being deemed of
12 28 immediate importance, takes effect upon enactment.

12 29 DIVISION VI

12 30 CHANGES TO PRIOR APPROPRIATIONS

12 31 Sec. 20. 2004 Iowa Acts, chapter 1175, section 288,
12 32 subsection 7, paragraph d, as amended by 2010 Iowa
12 33 Acts, chapter 1184, section 51, is amended to read as
12 34 follows:

12 35 d. For allocation to the public broadcasting
12 36 division for costs of installation of digital
12 37 and analog television for Iowa public television
12 38 facilities, notwithstanding section 8.57, subsection
12 39 5, paragraph "c":

12 40 FY 2004=2005..... \$ 8,000,000

12 41 FY 2005=2006..... \$ 8,000,000

12 42 FY 2006=2007..... \$ 2,300,000

12 43 Of the amounts appropriated in this lettered

12 44 paragraph, up to \$1,000,000 may be used for operational

12 45 costs of the division for the fiscal years beginning

12 46 July 1, 2011, and July 1, 2012.

12 47 Notwithstanding section 8.33, 2004 Iowa Acts,

12 48 chapter 1175, section 290, or any other provision of

12 49 law, moneys allocated in this lettered paragraph that

12 50 remain unencumbered or unobligated at the close of a



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13 1 fiscal year shall not revert but shall remain available
13 2 for expenditure for the purposes designated until the
13 3 close of the fiscal year that begins July 1, 2012.
13 4 ~~However, if the projects for which the moneys are~~
~~13 5 appropriated are completed in an earlier fiscal year,~~
~~13 6 unencumbered or unobligated moneys shall revert at the~~
~~13 7 close of that fiscal year.~~
13 8 Sec. 21. 2006 Iowa Acts, chapter 1179, section 18,
13 9 is amended by adding the following new subsection:
13 10 NEW SUBSECTION. 5. Except for the allocation to
13 11 Des Moines area community college and notwithstanding
13 12 section 8.33, moneys appropriated from the endowment
13 13 for Iowa's health restricted capitals fund for the
13 14 fiscal year beginning July 1, 2006, and ending June 30,
13 15 2007, in this division of this Act to the department of
13 16 public safety for allocation to the division of fire
13 17 protection that remain unencumbered or unobligated
13 18 at the close of the fiscal year shall not revert
13 19 but shall remain available for expenditure for the
13 20 purposes designated until the close of the fiscal year
13 21 beginning July 1, 2011, or until the project for which
13 22 appropriated is completed, whichever is earlier. This
13 23 subsection shall apply in lieu of subsection 1 of this
13 24 section.
13 25 Sec. 22. 2007 Iowa Acts, chapter 219, section 2, is
13 26 amended to read as follows:
13 27 SEC. 2. REVERSION.
13 28 1. ~~Notwithstanding~~ Except as provided in subsection
~~13 29 2 and notwithstanding section 8.33, moneys appropriated~~
13 30 for the fiscal year beginning July 1, 2007, in this
13 31 division of this Act that remain unencumbered or
13 32 unobligated at the close of the fiscal year shall not
13 33 revert but shall remain available for the purposes
13 34 designated until the close of the fiscal year that
13 35 begins July 1, 2010, or until the project for which
13 36 the appropriation was made is completed, whichever is
13 37 earlier.
13 38 2. a. Notwithstanding section 8.33, moneys
13 39 appropriated in section 1, subsection 1, paragraphs
13 40 "a" and "f" of this division of this Act that remain
13 41 unencumbered or unobligated at the close of the fiscal
13 42 year for which they were appropriated shall not revert
13 43 but shall remain available for the purposes designated
13 44 until the close of the fiscal year that begins July 1,
13 45 2011, or until the project for which the appropriation
13 46 was made is completed, whichever is earlier.
13 47 b. The department of administrative services
13 48 is authorized to provide for the disposition and
13 49 relocation of structures located at 707 east locust
13 50 and 709 east locust, Des Moines, Iowa, in a manner as



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14 1 deemed appropriate by the department. The disposition
14 2 of the structures, if possible, shall be completed in
14 3 a manner that reduces or eliminates the costs of the
14 4 state associated with the removal of the structures
14 5 from their current locations. Any amount received from
14 6 the disposition of the structures as permitted under
14 7 this section shall be retained by the department to pay
14 8 for improvement costs associated with the restoration
14 9 of the west capitol terrace. The department, if unable
14 10 to otherwise dispose of the structures, is authorized
14 11 to demolish the structure using other appropriate
14 12 funding available to the department.

14 13 Sec. 23. 2008 Iowa Acts, chapter 1179, section 7,
14 14 as amended by 2009 Iowa Acts, chapter 173, section
14 15 21, and 2010 Iowa Acts, chapter 1184, section 58, is
14 16 amended to read as follows:

14 17 SEC. 7. DEPARTMENT OF ECONOMIC DEVELOPMENT. There
14 18 is appropriated from the rebuild Iowa infrastructure
14 19 fund to the department of economic development for
14 20 the designated fiscal years the following amounts, or
14 21 so much thereof as is necessary, to be used for the
14 22 purposes designated:

14 23 For deposit into the river enhancement community
14 24 attraction and tourism fund created in 2008 Iowa Acts,
14 25 Senate File 2430, if enacted:

14 26 FY 2009=2010	\$	0
14 27 FY 2010=2011.....	\$	0
14 28 FY 2011=2012	\$	10,000,000
14 29		<u>3,000,000</u>
14 30 FY 2012=2013.....	\$	10,000,000

14 31 Notwithstanding section 8.33, moneys appropriated
14 32 in this section for the fiscal year beginning July
14 33 1, 2011, and ending June 30, 2012, shall not revert
14 34 at the close of the fiscal year for which they are
14 35 appropriated but shall remain available for the purpose
14 36 designated until the close of the fiscal year that
14 37 begins July 1, 2014, or until the project for which
14 38 the appropriation was made is completed, whichever is
14 39 earlier.

14 40 Notwithstanding section 8.33, moneys appropriated
14 41 in this section for the fiscal year beginning July
14 42 1, 2012, and ending June 30, 2013, shall not revert
14 43 at the close of the fiscal year for which they are
14 44 appropriated but shall remain available for the purpose
14 45 designated until the close of the fiscal year that
14 46 begins July 1, 2015, or until the project for which
14 47 the appropriation was made is completed, whichever is
14 48 earlier.

14 49 Sec. 24. 2010 Iowa Acts, chapter 1184, section 2,
14 50 subsection 3, is amended to read as follows:



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15 1 3. DEPARTMENT OF TRANSPORTATION
15 2 For deposit into the passenger rail service
15 3 revolving fund created in section 327J.2 for matching
15 4 federal funding available through the federal Passenger
15 5 Rail Investment and Improvement Act of 2008 for
15 6 passenger rail service, notwithstanding section 8.57,
15 7 subsection 6, paragraph "c":
15 8 FY 2011=2012..... \$ ~~6,500,000~~
15 9 0
15 10 FY 2012=2013..... \$ 6,500,000
15 11 It is the intent of the general assembly to fund
15 12 up to \$20 million over a four-year period to fully
15 13 fund the state commitment for matching federal funding
15 14 available through the federal Passenger Rail Investment
15 15 and Improvement Act of 2008.
15 16 Sec. 25. 2010 Iowa Acts, chapter 1184, section 10,
15 17 subsection 8, is amended to read as follows:
15 18 8. TREASURER OF STATE
15 19 For transfer to the watershed improvement review
15 20 board created in section 466A.3 for grants associated
15 21 with ~~the construction and restoration of wetland~~
~~15 22 easements and flood prevention watershed improvement~~
15 23 projects:
15 24 \$ 2,000,000
15 25 Notwithstanding section 466A.5, moneys from the
15 26 appropriation in this subsection shall not be used for
15 27 administrative purposes.
15 28 Sec. 26. 2010 Iowa Acts, chapter 1184, section 14,
15 29 is amended to read as follows:
15 30 SEC. 14. There is appropriated from the ~~FY 2009~~
~~15 31 prison bonding fund created pursuant to section~~
~~15 32 12.79~~rebuild Iowa infrastructure fund to the department
15 33 of corrections for the fiscal year beginning July 1,
15 34 2010, and ending June 30, 2011, the following amount,
15 35 or so much thereof as is necessary, to be used for
15 36 the purpose designated, notwithstanding section 8.57,
15 37 subsection 6, paragraph "c":
15 38 For ~~costs associated with the building of a new~~
~~15 39 Iowa State penitentiary at Fort Madison project~~
15 40 management costs at Fort Madison and Mitchellville
15 41 prisons, associated with construction projects at the
15 42 department:
15 43 \$ 322,500
15 44 ~~The appropriation made in this section constitutes~~
~~15 45 approval by the general assembly for the issuance of~~
~~15 46 bonds by the treasurer of state pursuant to section~~
~~15 47 12.80.~~
15 48 Sec. 27. 2010 Iowa Acts, chapter 1184, section 37,
15 49 is amended to read as follows:
15 50 SEC. 37. SITE DEVELOPMENT CONSULTATIONS



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16 1 APPROPRIATION. There is appropriated from the school
16 2 infrastructure fund created in section 12.82 to the
16 3 department of economic development for the fiscal year
16 4 beginning July 1, 2010, and ending June 30, 2011, the
16 5 following amount, or so much thereof as is necessary,
16 6 to be used for the purposes designated:
16 7 For providing site development consultations
16 8 pursuant to section 15E.18, including salaries,
16 9 support, maintenance, miscellaneous purposes, and
16 10 for not more than the following full-time equivalent
16 11 positions, notwithstanding section 12.82, subsection 1:
16 12 \$ 175,000
16 13 FTEs 1.00
16 14 Of the moneys appropriated to the department
16 15 pursuant to this section, the department may allocate
16 16 up to \$75,000 for purposes of contracting with third
16 17 parties to provide site development consultations.
16 18 Sec. 28. 2010 Iowa Acts, chapter 1184, section 39,
16 19 is amended to read as follows:
16 20 SEC. 39. BUSINESS ASSISTANCE INTERNET SITE
16 21 APPROPRIATION. There is appropriated from the school
16 22 infrastructure fund created in section 12.82 to the
16 23 department of economic development for the fiscal year
16 24 beginning July 1, 2010, and ending June 30, 2011, the
16 25 following amount, or so much thereof as is necessary,
16 26 to be used for the purposes designated:
16 27 For purposes of creating a business assistance
16 28 internet site, notwithstanding section 12.82,
16 29 subsection 1:
16 30 \$ 20,000
16 31 Sec. 29. 2010 Iowa Acts, chapter 1184, section 43,
16 32 is amended to read as follows:
16 33 SEC. 43. SAVE OUR SMALL BUSINESSES FUND
16 34 APPROPRIATION. There is appropriated from the school
16 35 infrastructure fund created in section 12.82 to the
16 36 department of economic development for deposit in the
16 37 save our small businesses fund for the fiscal year
16 38 beginning July 1, 2010, and ending June 30, 2011, the
16 39 following amount, or so much thereof as is necessary,
16 40 to be used for the purposes designated, notwithstanding
16 41 section 12.82, subsection 1:
16 42 For purposes of providing financial assistance under
16 43 the save our small businesses program under section
16 44 15.301:
16 45 \$ 5,000,000
16 46 Of the moneys appropriated pursuant to this section,
16 47 the department may allocate an amount not to exceed
16 48 two percent of the moneys appropriated for purposes of
16 49 retaining the services of an organization designated
16 50 pursuant to section 15.301, subsection 2, paragraph



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17 1 "b".

17 2 Sec. 30. 2010 Iowa Acts, chapter 1193, section 6,
17 3 is amended to read as follows:

17 4 SEC. 6. INSTRUCTIONAL SUPPORT STATE AID ====

17 5 APPROPRIATION. In lieu of the appropriation provided
17 6 in section 257.20, there is appropriated from the
17 7 school infrastructure fund created in section 12.82,
17 8 subsection 1, to the department of education for the
17 9 fiscal year beginning July 1, 2010, and ending June 30,
17 10 2011, the following amount, or so much thereof as is
17 11 necessary, to be used for the purposes designated:

17 12 For paying instructional support state aid for
17 13 fiscal year 2010=2011, notwithstanding section 12.82,
17 14 subsection 1:

17 15 \$ 7,500,000

17 16 Notwithstanding section 257.20, subsection 3, the
17 17 appropriation made in this lettered paragraph shall
17 18 be allocated in the same manner as the allocation of
17 19 the appropriation was made for the same purpose in the
17 20 previous fiscal year.

17 21 Sec. 31. 2011 Iowa Acts, House File 45, section 2,
17 22 subsection 2, is amended by adding the following new
17 23 paragraph:

17 24 c. This subsection shall not apply to any
17 25 appropriations for the fiscal year beginning July 1,
17 26 2010, receiving a supplemental appropriation under
17 27 2011 Iowa Acts, Senate File 209, or any multiyear
17 28 appropriation that includes the fiscal year beginning
17 29 July 1, 2009, for equipment as determined by the
17 30 department of management.

17 31 Sec. 32. EFFECTIVE UPON ENACTMENT. This division
17 32 of this Act, being deemed of immediate importance,
17 33 takes effect upon enactment.

17 34 Sec. 33. RETROACTIVE APPLICABILITY. The provision
17 35 of this division of this Act amending 2011 Iowa
17 36 Acts, House File 45, section 2, subsection 2, applies
17 37 retroactively to March 7, 2011.

17 38 DIVISION VII

17 39 MISCELLANEOUS

17 40 Sec. 34. WELCOME CENTER DESIGNATION.

17 41 Notwithstanding any provision of section 15.272 to the
17 42 contrary, the department of economic development shall
17 43 by January 1, 2012, select a site in or near the city
17 44 of Nashua for designation as a statewide welcome center
17 45 under the statewide welcome center program.

17 46 Sec. 35. IOWA BUILDING LEASES. The department
17 47 of administrative services may utilize space in the
17 48 Iowa building for purposes of entering into short
17 49 term leases with persons associated with the media
17 50 who request space for the purpose of providing media



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18 1 coverage of the 2012 Iowa presidential caucuses.
18 2 Moneys received pursuant to any such lease agreements
18 3 shall be retained by and are appropriated to the
18 4 department for purposes of operational costs of the
18 5 Iowa building.>
18 6 #2. Title page, line 6, after <date> by inserting
18 7 <and retroactive applicability>
18 8 #3. By renumbering as necessary.
HF648.2996.S (1) 84
jh



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House Amendment 1703

PAG LIN

1 1 Amend the amendment, H=1700, to Senate File 466,
1 2 as amended, passed, and reprinted by the Senate, as
1 3 follows:
1 4 #1. Page 2, after line 38 by inserting:
1 5 <7. This section shall not be construed to alter
1 6 or affect the rights and duties prescribed in chapter
1 7 555A.>

GARRETT of Warren
H1700.3041 (1) 84
je/rj



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House Amendment 1704

PAG LIN

1	1	Amend Senate File 526, as amended, passed, and
1	2	reprinted by the Senate, as follows:
1	3	#1. Page 10, line 26, after <elections> by inserting
1	4	<and if all licensees operating within that county
1	5	maintain prohibitions against smoking, as defined
1	6	in section 142D.2, throughout all such licensed
1	7	facilities>

PETERSEN of Polk
SF526.3047 (1) 84
aw/rj



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House Amendment 1705

PAG LIN

1 1 Amend Senate File 526, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 11, after line 12 by inserting:
1 4 <Sec. _____. Section 142D.4, subsection 10, Code
1 5 2011, is amended by striking the subsection.>
1 6 #2. Page 11, line 13, by striking <This> and
1 7 inserting <Except for the section of this division of
1 8 this Act amending section 142D.4, this>
1 9 #3. Page 11, line 16, by striking <This> and
1 10 inserting <Except for the section of this division of
1 11 this Act amending section 142D.4, this>
1 12 #4. By renumbering as necessary.

PETERSEN of Polk

OLDSON of Polk

T. OLSON of Linn

M. SMITH of Marshall

GASKILL of Wapello

KEARNS of Lee

HANSON of Jefferson

HEDDENS of Story

WITTNEBEN of Emmet

THEDE of Scott



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MASCHER of Johnson

ABDUL=SAMAD of Polk

WINCKLER of Scott

LENSING of Johnson

WESSEL=KROESCHELL of Story

GAINES of Polk

HUNTER of Polk

KELLEY of Jasper

STECKMAN of Cerro Gordo

SWAIM of Davis

JACOBY of Johnson
SF526.2966 (4) 84
aw/rj



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House Amendment 1706

PAG LIN

1 1 Amend House File 672, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 1, before line 1 by inserting:
1 4 <Section 1. NEW SECTION. 476.53A Renewable
1 5 electric power generation.
1 6 It is the intent of the general assembly to
1 7 encourage the development of renewable electric power
1 8 generation. It is also the intent of the general
1 9 assembly to encourage the use of renewable power
1 10 to meet local electric needs and the development of
1 11 transmission capacity to export wind power generated
1 12 in Iowa.>
1 13 #2. Page 1, line 5, by striking <~~fifty~~ twenty=six>
1 14 and inserting <fifty>
1 15 #3. Page 1, line 10, by striking <2015> and
1 16 inserting <2021>
1 17 #4. Page 3, by striking lines 2 through 4 and
1 18 inserting <achieve operational status, the owner shall
1 19 notify the board. Upon>
1 20 #5. Page 3, line 15, after <capacity.> by inserting
1 21 <Beginning January 1, 2015, this maximum shall be
1 22 increased by fifteen megawatts annually, with the last
1 23 increase occurring January 1, 2020.>
1 24 #6. Page 3, line 19, by striking <~~sixty=nine~~> and
1 25 inserting <fifty=three>
1 26 #7. Page 3, line 21, after <purpose.> by inserting
1 27 <Beginning January 1, 2015, this maximum shall be
1 28 increased by the energy production capacity equivalent
1 29 of a combined output of five megawatts and the British
1 30 thermal unit equivalent annually, with the last
1 31 increase occurring January 1, 2020.>
1 32 #8. Page 3, line 33, by striking <~~sixteen~~> and
1 33 inserting <ten>
1 34 #9. Page 4, line 1, after <plant> by inserting
1 35 <engaged in the sale of ethanol to states to meet a low
1 36 carbon fuel standard>
1 37 #10. Page 4, line 4, by striking <~~sixteen~~> and
1 38 inserting <ten>
1 39 #11. Page 6, line 2, by striking <2024> and
1 40 inserting <2030>
1 41 #12. Page 6, after line 2 by inserting:
1 42 <Sec. ____ . EFFECTIVE UPON ENACTMENT. The section
1 43 of this Act amending section 476B.5, subsection 4,
1 44 being deemed of immediate importance, takes effect upon
1 45 enactment.>
1 46 #13. Title page, line 2, after <production> by
1 47 inserting <, and including effective date provisions>
1 48 #14. By renumbering as necessary.
HF672.3055.S (1) 84
jh



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Senate Amendment 3305

PAG LIN

1 1 Amend House File 676, as passed by the House, as
1 2 follows:
1 3 #1. By striking everything after the enacting clause
1 4 and inserting:
1 5 <Section 1. Section 321.105A, subsection 6,
1 6 paragraph a, Code 2011, is amended by adding the
1 7 following new subparagraph:
1 8 NEW SUBPARAGRAPH. (4) The owner of a leased
1 9 vehicle listed in subparagraph division (a) or (b) is
1 10 entitled to a refund of the fee for new registration
1 11 paid by the owner. However, if the parties to the
1 12 lease entered into an agreement that the fee for new
1 13 registration was to be paid by the lessee or included
1 14 in the monthly lease payments to be paid by the lessee,
1 15 the lessee is entitled to a refund of the amount of the
1 16 fee for new registration paid by the lessee. To obtain
1 17 a refund, the owner or the lessee, as applicable, shall
1 18 make application on forms provided by the department
1 19 and show proof as required by the department that the
1 20 fee for new registration was paid. The refund shall
1 21 be paid from the general fund of the state. This
1 22 subparagraph applies to the following:
1 23 (a) Vehicles leased to entities listed in section
1 24 423.3, subsections 17, 18, 19, 20, 21, 22, 26, 27,
1 25 28, 31, and 79, to the extent that those entities are
1 26 exempt from the tax imposed on the sale of tangible
1 27 personal property, consisting of goods, wares, or
1 28 merchandise, sold at retail in the state to consumers
1 29 or users.
1 30 (b) A vehicle leased directly to a federal,
1 31 state, or local governmental agency and titled in an
1 32 individual's name pursuant to a governmental program
1 33 authorized by law.>
1 34 #2. Title page, line 1, by striking <an exemption
1 35 from> and inserting <for refunds of>
1 36 #3. By renumbering as necessary.

MARK CHELGREN
HF676.2949 (1) 84
dea/nh



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Senate Amendment 3306

PAG LIN

1 1 Amend Senate File 533 as follows:
1 2 #1. Page 22, after line 31 by inserting:
1 3 <Sec. _____. Section 80B.6, subsection 1, Code 2011,
1 4 is amended to read as follows:
1 5 1. There is created the Iowa law enforcement
1 6 academy council which shall consist of the following
1 7 ~~seven~~ nine voting members appointed by the governor
1 8 subject to confirmation by the senate to terms of four
1 9 years commencing as provided in section 69.19:
1 10 a. Three residents of the state.
1 11 b. A sheriff of a county.
1 12 c. A police officer who is a member of a police
1 13 department of a city with a population larger than
1 14 fifty thousand persons.
1 15 d. A police officer who is a member of a police
1 16 department of a city with a population of less than
1 17 fifty thousand persons.
1 18 e. A member of the department of public safety.
1 19 f. A member of a county conservation board.
1 20 g. A conservation peace officer employed under
1 21 section 456A.13.>
1 22 #2. By renumbering as necessary.

DENNIS H. BLACK

MATT McCOY
SF533.3031 (2) 84
tm/jp



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Senate Amendment 3307

PAG LIN

1 1 Amend Senate File 533 as follows:
1 2 #1. Page 33, after line 17 by inserting:
1 3 <DIVISION ____
1 4 WITHHOLDING AGREEMENTS
1 5 Sec. _____. Section 403.19A, subsection 1, paragraphs
1 6 c and f, Code 2011, are amended to read as follows:
1 7 c. "Employer" means a business creating or
1 8 retaining targeted jobs in an urban renewal area of a
1 9 pilot project city pursuant to a withholding agreement.
1 10 f. "Targeted job" means a job in a business which
1 11 is or will be located in an urban renewal area of a
1 12 pilot project city that pays a wage at least equal to
1 13 the countywide average wage. "Targeted job" includes
1 14 new or retained jobs from Iowa business expansions
1 15 or retentions within the city limits of the pilot
1 16 project city and those jobs resulting from established
1 17 out-of-state businesses, as defined by the department
1 18 of economic development, moving to or expanding in
1 19 Iowa.
1 20 Sec. _____. Section 403.19A, subsection 3, paragraph
1 21 c, subparagraph (1), Code 2011, is amended to read as
1 22 follows:
1 23 (1) The pilot project city shall enter into a
1 24 withholding agreement with each employer concerning
1 25 the targeted jobs withholding credit. The withholding
1 26 agreement shall provide for the total amount of
1 27 withholding tax credits awarded. An agreement shall
1 28 not provide for an amount of withholding credits that
1 29 exceeds the amount of the qualifying investment made in
1 30 the project. An agreement shall not be entered into by
1 31 a pilot project city with a business currently located
1 32 in this state unless the business either creates or
1 33 retains ten new jobs or makes a qualifying investment
1 34 of at least five hundred thousand dollars within
1 35 the urban renewal area. The withholding agreement
1 36 may have a term of up to ten years. An employer
1 37 shall not be obligated to enter into a withholding
1 38 agreement. An agreement shall not be entered into with
1 39 an employer not already located in a pilot project
1 40 city when another Iowa community is competing for the
1 41 same project and both the pilot project city and the
1 42 other Iowa community are seeking assistance from the
1 43 department.
1 44 Sec. _____. Section 403.19A, subsection 3, paragraph
1 45 f, Code 2011, is amended to read as follows:
1 46 f. If the employer ceases to meet the requirements
1 47 of the withholding agreement, the agreement shall be
1 48 terminated and any withholding tax credits for the
1 49 benefit of the employer shall cease. However, in
1 50 regard to the number of ~~new~~ jobs that are to be created



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2 1 or retained, if the employer has met the number of
2 2 ~~new~~ jobs to be created or retained pursuant to the
2 3 withholding agreement and subsequently the number of
2 4 ~~new~~ jobs falls below the required level, the employer
2 5 shall not be considered as not meeting the ~~new~~ job
2 6 requirement until eighteen months after the date of the
2 7 decrease in the number of ~~new~~ jobs created or retained.
2 8 Sec. _____. RETROACTIVE APPLICABILITY. This division
2 9 of this Act applies retroactively to January 1, 2006,
2 10 for tax years beginning on or after that date.>
2 11 #2. By renumbering as necessary.

THOMAS G. COURTNEY
SF533.3034 (3) 84
tm/jp



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Senate Amendment 3308

PAG LIN

1 1 Amend House File 672, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 1, before line 1 by inserting:
1 4 <Section 1. NEW SECTION. 476.53A Renewable
1 5 electric power generation.
1 6 It is the intent of the general assembly to
1 7 encourage the development of renewable electric power
1 8 generation. It is also the intent of the general
1 9 assembly to encourage the use of renewable power
1 10 to meet local electric needs and the development of
1 11 transmission capacity to export wind power generated
1 12 in Iowa.>
1 13 #2. Page 1, line 5, by striking <~~fifty~~ twenty=six>
1 14 and inserting <fifty>
1 15 #3. Page 1, line 10, by striking <2015> and
1 16 inserting <2021>
1 17 #4. Page 3, by striking lines 2 through 4 and
1 18 inserting <achieve operational status, the owner shall
1 19 notify the board. Upon>
1 20 #5. Page 3, line 15, after <capacity.> by inserting
1 21 <Beginning January 1, 2015, this maximum shall be
1 22 increased by fifteen megawatts annually, with the last
1 23 increase occurring January 1, 2020.>
1 24 #6. Page 3, line 19, by striking <~~sixty=nine~~> and
1 25 inserting <fifty=three>
1 26 #7. Page 3, line 21, after <purpose.> by inserting
1 27 <Beginning January 1, 2015, this maximum shall be
1 28 increased by the energy production capacity equivalent
1 29 of a combined output of five megawatts and the British
1 30 thermal unit equivalent annually, with the last
1 31 increase occurring January 1, 2020.>
1 32 #8. Page 3, line 33, by striking <~~sixteen~~> and
1 33 inserting <ten>
1 34 #9. Page 4, line 1, after <plant> by inserting
1 35 <engaged in the sale of ethanol to states to meet a low
1 36 carbon fuel standard>
1 37 #10. Page 4, line 4, by striking <~~sixteen~~> and
1 38 inserting <ten>
1 39 #11. Page 6, line 2, by striking <2024> and
1 40 inserting <2030>
1 41 #12. Page 6, after line 2 by inserting:
1 42 <Sec. ____ . EFFECTIVE UPON ENACTMENT. The section
1 43 of this Act amending section 476B.5, subsection 4,
1 44 being deemed of immediate importance, takes effect upon
1 45 enactment.>
1 46 #13. Title page, line 2, after <production> by
1 47 inserting <, and including effective date provisions>
1 48 #14. By renumbering as necessary.



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Senate Amendment 3309

PAG LIN

1 1 Amend Senate File 533 as follows:

1 2 #1. Page 17, line 8, after <injury.> by inserting
1 3 <Notwithstanding section 8.33, moneys appropriated in
1 4 this section that remain unencumbered or unobligated
1 5 at the close of the fiscal year shall not revert but
1 6 shall remain available for expenditure for the purposes
1 7 designated until the close of the succeeding fiscal
1 8 year.>

1 9 #2. Page 29, by striking lines 3 through 8.

1 10 #3. Page 33, after line 17 by inserting:

1 11 <DIVISION ____
1 12 SCHOOL EMPLOYEE MISCONDUCT

1 13 Sec. _____. Section 272.2, subsection 1, paragraph
1 14 b, Code 2011, is amended by striking the paragraph and
1 15 inserting in lieu thereof the following:

1 16 b. Provide annually to any person who holds a
1 17 license, certificate, authorization, or statement of
1 18 recognition issued by the board, training relating
1 19 to the knowledge and understanding of the board's
1 20 code of professional conduct and ethics. The board
1 21 shall develop a curriculum that addresses the code of
1 22 professional conduct and ethics and shall annually
1 23 provide regional training opportunities throughout the
1 24 state.

1 25 Sec. _____. Section 272.15, subsection 1, Code 2011,
1 26 is amended to read as follows:

1 27 1. a. The board of directors of a school district
1 28 or area education agency, the superintendent of a
1 29 school district or the chief administrator of an
1 30 area education agency, and the authorities in charge
1 31 of a nonpublic school shall report to the board the
1 32 nonrenewal or termination, for reasons of alleged or
1 33 actual misconduct, of a person's contract executed
1 34 under sections 279.12, 279.13, 279.15 through 279.21,
1 35 279.23, and 279.24, and the resignation of a person
1 36 who holds a license, certificate, or authorization
1 37 issued by the board as a result of or following an
1 38 incident or allegation of misconduct that, if proven,
1 39 would constitute a violation of the rules adopted by
1 40 the board to implement section 272.2, subsection 14,
1 41 paragraph "b", subparagraph (1), when the board or
1 42 reporting official has a good faith belief that the
1 43 incident occurred or the allegation is true. The
1 44 board may deny a license or revoke the license of an
1 45 administrator if the board finds by a preponderance
1 46 of the evidence that the administrator failed to
1 47 report the termination or resignation of a school
1 48 employee holding a license, certificate, statement of
1 49 professional recognition, or coaching authorization,
1 50 for reasons of alleged or actual misconduct, as defined



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2 1 by this section.

2 2 b. Information reported to the board in accordance
2 3 with this section is privileged and confidential, and
2 4 except as provided in section 272.13, is not subject to
2 5 discovery, subpoena, or other means of legal compulsion
2 6 for its release to a person other than the respondent
2 7 and the board and its employees and agents involved in
2 8 licensee discipline, and is not admissible in evidence
2 9 in a judicial or administrative proceeding other
2 10 than the proceeding involving licensee discipline.
2 11 The board shall review the information reported to
2 12 determine whether a complaint should be initiated. In
2 13 making that determination, the board shall consider the
2 14 factors enumerated in section 272.2, subsection 14,
2 15 paragraph "a".

2 16 c. For purposes of this section, unless the context
2 17 otherwise requires, "misconduct" means an action
2 18 disqualifying an applicant for a license or causing
2 19 the license of a person to be revoked or suspended
2 20 in accordance with the rules adopted by the board to
2 21 implement section 272.2, subsection 14, paragraph "b",
2 22 subparagraph (1).

2 23 Sec. _____. Section 280.17, Code 2011, is amended to
2 24 read as follows:

2 25 280.17 Procedures for handling child abuse reports.

2 26 1. The board of directors of a ~~public~~ school
2 27 ~~district~~ and the authorities in ~~control~~ charge of
2 28 a nonpublic school shall prescribe procedures, in
2 29 accordance with the guidelines contained in the model
2 30 policy developed by the department of education in
2 31 consultation with the department of human services,
2 32 and adopted by the department of education pursuant
2 33 to chapter 17A, for the handling of reports of child
2 34 abuse, as defined in section 232.68, subsection 2,
2 35 paragraph "a", "c", or "e", alleged to have been
2 36 committed by an employee or agent of the public or
2 37 nonpublic school.

2 38 2. a. The board of directors of a school district
2 39 and the authorities in charge of an accredited
2 40 nonpublic school shall place on administrative leave a
2 41 school employee who is the subject of an investigation
2 42 of an alleged incident of abuse of a student conducted
2 43 in accordance with 281 IAC 102.

2 44 b. If the results of an investigation of abuse of
2 45 a student by a school employee who holds a license,
2 46 certificate, authorization, or statement of recognition
2 47 issued by the board of educational examiners finds
2 48 that the school employee's conduct constitutes a crime
2 49 under any other statute, the board or the authorities,
2 50 as appropriate, shall report the results of the



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3 1 investigation to the board of educational examiners.
3 2 Sec. _____. Section 280.27, Code 2011, is amended to
3 3 read as follows:
3 4 280.27 Reporting violence ==== immunity.
3 5 An employee of a school district, an accredited
3 6 nonpublic school, or an area education agency who
3 7 participates in good faith and acts reasonably in
3 8 the making of a report to, or investigation by, an
3 9 appropriate person or agency regarding violence,
3 10 threats of violence, physical or sexual abuse of a
3 11 student, or other inappropriate activity against a
3 12 school employee or student in a school building, on
3 13 school grounds, or at a school=sponsored function shall
3 14 be immune from civil or criminal liability relating
3 15 to such action, as well as for participating in any
3 16 administrative or judicial proceeding resulting from or
3 17 relating to the report or investigation.>
3 18 #4. By renumbering as necessary.

ROBERT E. DVORSKY
SF533.3028 (1) 84
tm/jp



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Senate Amendment 3310

PAG LIN

1 1 Amend Senate File 533 as follows:
1 2 #1. By striking page 30, line 32, through page 31,
1 3 line 3.
1 4 #2. Page 31, line 33, by striking <481,000> and
1 5 inserting <510,000>
1 6 #3. By renumbering as necessary.

JEFF DANIELSON
SF533.3053 (2) 84
pf/tm



Iowa General Assembly
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Senate Amendment 3311

PAG LIN

1 1 Amend Senate File 533 as follows:
1 2 #1. Page 22, after line 31 by inserting:
1 3 <Sec. _____. NEW SECTION. 17A.4B Negotiated
1 4 rulemaking.
1 5 1. An agency shall create a negotiated rulemaking
1 6 group if required by statute. An agency may, on
1 7 its own motion or upon request, create a negotiated
1 8 rulemaking group if the agency determines that a
1 9 negotiated rulemaking group can adequately represent
1 10 the interests that will be significantly affected
1 11 by a draft rule proposal and that it is feasible and
1 12 appropriate in the particular rulemaking. Notice of
1 13 the creation of a negotiated rulemaking group shall
1 14 be published in the Iowa administrative bulletin.
1 15 Upon establishing a negotiated rulemaking group,
1 16 the agency shall also specify a time frame for group
1 17 deliberations.
1 18 2. Unless otherwise provided by statute, the
1 19 agency shall appoint a sufficient number of members
1 20 to the group so that a fair cross section of opinions
1 21 and interests regarding the draft rule proposal
1 22 is represented. One person shall be appointed to
1 23 represent the agency. The group shall select its own
1 24 chairperson and adopt its rules of procedure. All
1 25 meetings of the group shall be open to the public.
1 26 A majority of the membership constitutes a quorum.
1 27 Members shall not receive any per diem payment but
1 28 shall be reimbursed for all necessary expenses. Any
1 29 vacancy shall be filled in the same manner as the
1 30 initial appointment.
1 31 3. Prior to the publication of a notice of intended
1 32 action, the group shall consider the terms or substance
1 33 of the rule drafted by the agency and shall attempt to
1 34 reach a consensus concerning the draft rule proposal.
1 35 4. If a group reaches a consensus on a draft rule
1 36 proposal, the group shall transmit to the agency a
1 37 report containing the consensus on the draft rule
1 38 proposal. If the group does not reach a consensus on a
1 39 draft rule proposal within the specified time frame,
1 40 the group shall transmit to the agency a report stating
1 41 that inability to reach a consensus and specifying any
1 42 areas in which the group reached a consensus. The
1 43 group may include in a report any other information,
1 44 recommendations, or materials that the group considers
1 45 appropriate. Any group member may include as an
1 46 addendum to the report additional information,
1 47 recommendations, or materials. A report issued under
1 48 this subsection shall not be considered final agency
1 49 action for purposes of judicial review.
1 50 5. Unless otherwise provided by statute, following



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2 1 a negotiated rulemaking group consideration of a draft
2 2 rule proposal, the agency may commence rulemaking as
2 3 provided in section 17A.4. The group is automatically
2 4 abolished upon the agency's adoption of the rule
2 5 pursuant to the provisions of section 17A.5.
2 6 Sec. _____. Section 17A.7, subsection 2, Code 2011,
2 7 is amended by striking the subsection and inserting in
2 8 lieu thereof the following:
2 9 2. Over a five=year period of time, an agency
2 10 shall conduct an ongoing and comprehensive review of
2 11 all of the agency's rules. The goal of the review
2 12 is the identification and elimination of all rules of
2 13 the agency that are outdated, redundant, overbroad,
2 14 ineffective, unnecessary, or otherwise undesirable.
2 15 An agency shall commence its review by developing a
2 16 plan of review in consultation with major stakeholders
2 17 and constituent groups. As part of its review, an
2 18 agency shall review existing policy and interpretive
2 19 statements or similar documents to determine whether
2 20 it would be necessary or appropriate to adopt these
2 21 statements or documents as rules.
2 22 a. An agency shall establish its five=year plan for
2 23 review of its rules and publish the plan in the Iowa
2 24 administrative bulletin.
2 25 b. An agency's plan for review shall do all of the
2 26 following:
2 27 (1) Contain a schedule that lists when the review
2 28 of each rule or rule group will occur.
2 29 (2) State the method by which the agency will
2 30 determine whether the rule under review meets the
2 31 criteria listed in this section.
2 32 (3) Provide a means for public participation in the
2 33 review process and specify how interested persons may
2 34 participate in the review.
2 35 (4) Identify instances where the agency may require
2 36 an exception to the review requirements.
2 37 (5) Provide a process for ongoing review of rules
2 38 after the initial five=year review period has expired.
2 39 c. An agency shall consider all of the following
2 40 criteria when reviewing its rules:
2 41 (1) The need for the rule.
2 42 (2) The clarity of the rule.
2 43 (3) The intent and legal authority for the rule.
2 44 (4) The qualitative and quantitative benefits and
2 45 costs of the rule.
2 46 (5) The fairness of the rule.
2 47 d. When an agency completes its five=year review of
2 48 its rules, the agency shall provide a summary of the
2 49 results to the administrative rules coordinator and the
2 50 administrative rules review committee.>



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3 1 #2. By renumbering as necessary.

MERLIN BARTZ
SF533.3046 (5) 84
jr/tm



Iowa General Assembly
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Senate Amendment 3312

PAG LIN

1 1 Amend Senate File 533 as follows:
1 2 #1. Page 24, after line 11 by inserting:
1 3 <Sec. _____. Section 422.11S, subsection 7, paragraph
1 4 a, subparagraph (2), Code 2011, is amended to read as
1 5 follows:
1 6 (2) "Total approved tax credits" means for the
1 7 tax year beginning in the 2006 calendar year, two
1 8 million five hundred thousand dollars, for the tax
1 9 year beginning in the 2007 calendar year, five million
1 10 dollars, and for tax years beginning on or after
1 11 January 1, 2008, and before January 1, 2012, seven
1 12 million five hundred thousand dollars. For tax years
1 13 beginning on or after January 1, 2012, and only if
1 14 legislation is enacted by the eighty-fourth general
1 15 assembly, 2011 session, amending section 257.8,
1 16 subsections 1 and 2, to establish both the state
1 17 percent of growth and the categorical state percent
1 18 of growth for the budget year beginning July 1, 2011,
1 19 at two percent, "total approved tax credits" means ten
1 20 million dollars.>
1 21 #2. By renumbering as necessary.

DR. JOE M. SENG

TOM HANCOCK

JEFF DANIELSON

THOMAS RIELLY

JOHN P. KIBBIE
SF533.3051 (2) 84
tm/sc



Iowa General Assembly
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Senate Amendment 3313

PAG LIN

1 1 Amend Senate File 533 as follows:
1 2 #1. Page 22, after line 31 by inserting:
1 3 <Sec. _____. Section 80B.6, subsection 1, as amended
1 4 by 2011 Iowa Acts, Senate File 236, section 1, is
1 5 amended to read as follows:
1 6 1. An Iowa law enforcement academy council is
1 7 created consisting of the following ~~thirteen~~ fifteen
1 8 voting members appointed by the governor, subject to
1 9 confirmation by the senate, to terms of four years
1 10 commencing as provided in section 69.19:
1 11 a. Three residents of the state.
1 12 b. A sheriff of a county with a population of fifty
1 13 thousand persons or more who is a member of the Iowa
1 14 state sheriffs and deputies association.
1 15 c. A sheriff of a county with a population of less
1 16 than fifty thousand persons who is a member of the Iowa
1 17 state sheriffs and deputies association.
1 18 d. A deputy sheriff of a county who is a member of
1 19 the Iowa state sheriffs and deputies association.
1 20 e. A member of the Iowa peace officers association.
1 21 f. A member of the Iowa state police association.
1 22 g. A member of the Iowa police chiefs association.
1 23 h. A police officer who is a member of a police
1 24 department of a city with a population of fifty
1 25 thousand persons or more.
1 26 i. A police officer who is a member of a police
1 27 department of a city with a population of less than
1 28 fifty thousand persons.
1 29 j. A member of the department of public safety.
1 30 k. A member of the office of motor vehicle
1 31 enforcement of the department of transportation.
1 32 l. An employee of a county conservation board who
1 33 is a certified peace officer.
1 34 m. A conservation peace officer employed under
1 35 section 456A.13.>
1 36 #2. By renumbering as necessary.

DENNIS H. BLACK

MATT McCOY
SF533.3049 (4) 84
tm/jp



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Senate Amendment 3314

PAG LIN

1 1 Amend Senate File 533 as follows:
1 2 #1. Page 24, after line 34 by inserting:
1 3 <Sec. _____. Section 600C.1, subsection 1, Code 2011,
1 4 is amended to read as follows:
1 5 1. The grandparent or great=grandparent of a
1 6 minor child may petition the court for grandchild
1 7 or great=grandchild visitation when ~~the~~ any of the
1 8 following conditions is met:
1 9 a. The parent of the minor child, who is the
1 10 child of the grandparent or the grandchild of the
1 11 great=grandparent, is deceased.
1 12 b. The parents of the child have been granted a
1 13 dissolution decree, order for separate maintenance, or
1 14 an annulment pursuant to chapter 598.>
1 15 #2. By renumbering as necessary.

RANDY FEENSTRA
SF533.3024 (2) 84
tm/jp



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Senate Amendment 3315

PAG LIN

- 1 1 Amend Senate File 533 as follows:
- 1 2 #1. Page 22, line 8, by striking <1.>
- 1 3 #2. Page 22, by striking lines 11 through 14.

JONI ERNST
SF533.3044 (1) 84
tm/jp



Iowa General Assembly
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Senate Amendment 3316

PAG LIN

- 1 1 Amend Senate File 533 as follows:
- 1 2 #1. Page 7, line 31, after <regents> by inserting
- 1 3 <who receive bonuses from non public funds>

BILL DIX
SF533.3040 (1) 84
tm/jp



Iowa General Assembly
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Senate Amendment 3317

PAG LIN

1 1 Amend Senate File 533 as follows:
1 2 #1. Page 24, after line 11 by inserting:
1 3 Sec. _____. Section 422.11S, subsection 4, Code 2011,
1 4 is amended to read as follows:
1 5 4. Married taxpayers who file separate returns
1 6 or file separately on a combined return form must
1 7 determine the tax credit under subsection 1 based
1 8 upon their combined net income and allocate the total
1 9 credit amount to each spouse in the proportion that
1 10 each spouse's respective net income bears to the
1 11 total combined net income. Nonresidents or part=year
1 12 residents of Iowa must determine their tax credit in
1 13 the ratio of their Iowa source net income to their
1 14 all source net income. Nonresidents or part=year
1 15 residents who are married and elect to file separate
1 16 returns or to file separately on a combined return form
1 17 must allocate the tax credit between the spouses in
1 18 the ratio of each spouse's Iowa source net income to
1 19 the combined Iowa source net income of the taxpayers.
1 20 An individual may claim the tax credit allowed a
1 21 partnership, limited liability, S corporation,
1 22 estate, or trust electing to have the income taxed
1 23 directly to the individual. The amount claimed by the
1 24 individual shall be based upon the pro rata share of
1 25 the individual's earnings of the partnership, limited
1 26 liability company, S corporation, estate, or trust.
1 27 Sec. _____. Section 422.11S, subsection 7, paragraph
1 28 a, subparagraph (2), Code 2011, is amended to read as
1 29 follows:
1 30 (2) "Total approved tax credits" means for the
1 31 tax year beginning in the 2006 calendar year, two
1 32 million five hundred thousand dollars, for the tax
1 33 year beginning in the 2007 calendar year, five million
1 34 dollars, and for tax years beginning on or after
1 35 January 1, 2008, and before January 1, 2012, seven
1 36 million five hundred thousand dollars. For the tax
1 37 year beginning on January 1, 2012, "total approved
1 38 tax credits" means eight million seven hundred fifty
1 39 thousand dollars, and for tax years beginning on or
1 40 after January 1, 2013, ten million dollars.>
1 41 #2. By renumbering as necessary.

RANDY FEENSTRA

DAVID JOHNSON
SF533.3013 (3) 84
tm/jp



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Senate Amendment 3318

PAG LIN

- 1 1 Amend Senate File 533 as follows:
- 1 2 #1. Page 3, by striking lines 2 through 7.
- 1 3 #2. By renumbering as necessary.

MARK CHELGREN
SF533.3038 (1) 84
tm/jp



Iowa General Assembly
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Senate Amendment 3319

PAG LIN

1 1 Amend Senate File 533 as follows:
1 2 #1. Page 33, after line 17 by inserting:
1 3 <DIVISION ____
1 4 DOMESTIC ABUSE ASSAULT
1 5 Sec. _____. Section 236.12, subsection 2, Code 2011,
1 6 is amended by adding the following new paragraphs:
1 7 NEW PARAGRAPH. e. Except as otherwise provided in
1 8 subsection 3, a peace officer shall, with or without
1 9 a warrant, arrest a person under section 708.2A,
1 10 subsection 2, paragraph "d", if, upon investigation,
1 11 including a reasonable inquiry of the alleged victim
1 12 and other witnesses, if any, the officer has probable
1 13 cause to believe that a domestic abuse assault has been
1 14 committed by knowingly impeding the normal breathing
1 15 or circulation of the blood of another by applying
1 16 pressure to the throat or neck of the other person or
1 17 by obstructing the nose or mouth of the other person.
1 18 NEW PARAGRAPH. f. Except as otherwise provided in
1 19 subsection 3, a peace officer shall, with or without
1 20 a warrant, arrest a person under section 708.2A,
1 21 subsection 4A, if, upon investigation, including a
1 22 reasonable inquiry of the alleged victim and other
1 23 witnesses, if any, the officer has probable cause
1 24 to believe that a domestic abuse assault has been
1 25 committed by knowingly impeding the normal breathing
1 26 or circulation of the blood of another by applying
1 27 pressure to the throat or neck of the other person or
1 28 by obstructing the nose or mouth of the other person,
1 29 and causing bodily injury.
1 30 Sec. _____. Section 236.12, subsection 3, Code 2011,
1 31 is amended to read as follows:
1 32 3. As described in subsection 2, paragraph "b",
1 33 "c", ~~or~~ "d", "e", or "f", the peace officer shall
1 34 arrest the person whom the peace officer believes
1 35 to be the primary physical aggressor. The duty of
1 36 the officer to arrest extends only to those persons
1 37 involved who are believed to have committed an assault.
1 38 Persons acting with justification, as defined in
1 39 section 704.3, are not subject to mandatory arrest. In
1 40 identifying the primary physical aggressor, a peace
1 41 officer shall consider the need to protect victims of
1 42 domestic abuse, the relative degree of injury or fear
1 43 inflicted on the persons involved, and any history
1 44 of domestic abuse between the persons involved. A
1 45 peace officer's identification of the primary physical
1 46 aggressor shall not be based on the consent of
1 47 the victim to any subsequent prosecution or on the
1 48 relationship of the persons involved in the incident,
1 49 and shall not be based solely upon the absence of
1 50 visible indications of injury or impairment.



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2 1 Sec. _____. Section 702.11, subsection 2, Code 2011,
2 2 is amended by adding the following new paragraph:
2 3 NEW PARAGRAPH. g. Domestic abuse assault in
2 4 violation of section 708.2A, subsection 4A.
2 5 Sec. _____. Section 708.2A, subsection 2, Code 2011,
2 6 is amended by adding the following new paragraph:
2 7 NEW PARAGRAPH. d. An aggravated misdemeanor, if
2 8 the domestic abuse assault is committed by knowingly
2 9 impeding the normal breathing or circulation of the
2 10 blood of another by applying pressure to the throat or
2 11 neck of the other person or by obstructing the nose or
2 12 mouth of the other person.
2 13 Sec. _____. Section 708.2A, Code 2011, is amended by
2 14 adding the following new subsection:
2 15 NEW SUBSECTION. 4A. For a domestic abuse assault
2 16 committed by knowingly impeding the normal breathing
2 17 or circulation of the blood of another by applying
2 18 pressure to the throat or neck of the other person or
2 19 by obstructing the nose or mouth of the other person,
2 20 and causing bodily injury, the person commits a class
2 21 "D" felony.>
2 22 #2. By renumbering as necessary.

SHAWN HAMERLINCK
SF533.3019 (1) 84
tm/jp



Iowa General Assembly
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Senate Amendment 3320

PAG LIN

1 1 Amend Senate File 533 as follows:
1 2 #1. Page 33, after line 17 by inserting:
1 3 <DIVISION ____
1 4 DAYS OF INSTRUCTION
1 5 Sec. _____. Section 256.7, subsection 19, Code 2011,
1 6 is amended to read as follows:
1 7 19. Define ~~the minimum school day as a day~~
~~1 8 consisting of five and one-half hours of instructional~~
~~1 9 time for grades one through twelve. The minimum~~
1 10 hours as time spent with a licensed teacher that shall
1 11 be exclusive of the lunch period and parent=teacher
1 12 conferences, but may include passing time between
~~1 13 classes. Time spent on parent=teacher conferences~~
~~1 14 shall be considered instructional time. A school or~~
~~1 15 school district may record a day of school with less~~
~~1 16 than the minimum instructional hours as a minimum~~
~~1 17 school day if any of the following apply:~~
1 18 a. ~~If emergency health or safety factors require~~
~~1 19 the late arrival or early dismissal of students on a~~
~~1 20 specific day.~~
1 21 b. ~~If the total hours of instructional school~~
~~1 22 time for grades one through twelve for any five~~
~~1 23 consecutive school days equal a minimum of twenty-seven~~
~~1 24 and one-half hours, even though any one day of~~
~~1 25 school is less than the minimum instructional hours~~
~~1 26 because of a staff development opportunity provided~~
~~1 27 for the professional instructional staff or because~~
~~1 28 parent=teacher conferences have been scheduled~~
~~1 29 beyond the regular school day. Furthermore, if the~~
~~1 30 total hours of instructional time for the first four~~
~~1 31 consecutive days equal at least twenty-seven and~~
~~1 32 one-half hours because parent=teacher conferences~~
~~1 33 have been scheduled beyond the regular school day, a~~
~~1 34 school or school district may record zero hours of~~
~~1 35 instructional time on the fifth consecutive school day~~
~~1 36 as a minimum school day.~~
1 37 Sec. _____. Section 256F.4, subsection 5, Code 2011,
1 38 is amended to read as follows:
1 39 5. A charter school or innovation zone school shall
1 40 provide instruction for at least the number of ~~days~~
~~1 41 hours required by section 279.10, subsection 1, or~~
~~1 42 shall provide at least the equivalent number of total~~
~~1 43 hours.~~
1 44 Sec. _____. Section 279.10, subsection 1, Code 2011,
1 45 is amended to read as follows:
1 46 1. The school year for each school district and
1 47 accredited nonpublic school shall begin on the first
~~1 48 day of July 1~~ and each regularly established elementary
1 49 and secondary school shall begin no sooner than a day
1 50 during the calendar week in which the first day of



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2 1 September falls but no later than the first Monday
2 2 in December. However, if the first day of September
2 3 falls on a Sunday, school may begin on a day during the
2 4 calendar week which immediately precedes the first day
2 5 of September. ~~School shall continue for at least one~~
~~2 6 hundred eighty days, except as provided in subsection~~
~~2 7 3, and may be maintained~~ The school calendar shall
2 8 include not less than one thousand eighty hours of
2 9 instruction during the ~~entire~~ calendar year. ~~However,~~
~~2 10 if~~ The board of directors of a school district and the
2 11 authorities in charge of an accredited nonpublic school
2 12 shall set the number of days of required attendance
2 13 for the school year as provided in section 299.1,
2 14 subsection 2, but the board of directors of a school
2 15 district shall hold a public hearing on any proposed
2 16 school calendar prior to adopting the school calendar.
2 17 If the board of directors of a district or the
2 18 authorities in charge of an accredited nonpublic school
2 19 extends the school calendar because inclement weather
2 20 caused the school district or accredited nonpublic
2 21 school to temporarily close ~~school~~ during the regular
2 22 school calendar, the school district or accredited
2 23 nonpublic school may excuse a graduating senior who
2 24 has met district or school requirements for graduation
2 25 from attendance during the extended school calendar. A
2 26 school corporation may begin employment of personnel
2 27 for in-service training and development purposes before
2 28 the date to begin elementary and secondary school.
2 29 Sec. _____. Section 279.10, subsections 2 and 3, Code
2 30 2011, are amended by striking the subsections.
2 31 Sec. _____. Section 299.4, subsection 1, Code 2011,
2 32 is amended to read as follows:
2 33 1. The parent, guardian, or legal custodian of a
2 34 child who is of compulsory attendance age, who places
2 35 the child under competent private instruction under
2 36 either section 299A.2 or 299A.3, not in an accredited
2 37 school or a home school assistance program operated
2 38 by a school district or accredited nonpublic school,
2 39 shall furnish a report in duplicate on forms provided
2 40 by the public school district, to the district by ~~the~~
~~2 41 earliest starting date specified in section 279.10,~~
~~2 42 subsection 1~~ September 1 of the school year in which
2 43 the child will be under competent private instruction.
2 44 The secretary shall retain and file one copy and
2 45 forward the other copy to the district's area education
2 46 agency. The report shall state the name and age of the
2 47 child, the period of time during which the child has
2 48 been or will be under competent private instruction
2 49 for the year, an outline of the course of study, texts
2 50 used, and the name and address of the instructor. The



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3 1 parent, guardian, or legal custodian of a child, who is
3 2 placing the child under competent private instruction
3 3 for the first time, shall also provide the district
3 4 with evidence that the child has had the immunizations
3 5 required under section 139A.8, and, if the child is
3 6 elementary school age, a blood lead test in accordance
3 7 with section 135.105D. The term "outline of course of
3 8 study" shall include subjects covered, lesson plans,
3 9 and time spent on the areas of study.
3 10 Sec. _____. REPEAL. Section 256.22, Code 2011, is
3 11 repealed.
3 12 Sec. _____. EFFECTIVE DATE. This division of this
3 13 Act takes effect July 1, 2012.>
3 14 #2. By renumbering as necessary.

SHAWN HAMERLINCK
SF533.3023 (2) 84
tm/jp



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Senate Amendment 3321

PAG LIN

1 1 Amend Senate File 533 as follows:
1 2 #1. Page 33, after line 17 by inserting:
1 3 <DIVISION ____
1 4 AUTOMATED TRAFFIC ENFORCEMENT SYSTEMS
1 5 Sec. _____. Section 321.1, Code 2011, is amended by
1 6 adding the following new subsection:
1 7 NEW SUBSECTION. 95. "Automated traffic enforcement
1 8 system" means a device with one or more sensors working
1 9 in conjunction with at least one of the following:
1 10 a. An official traffic=control signal, to
1 11 produce recorded images of motor vehicles entering
1 12 an intersection against a flashing red light, steady
1 13 circular red light, or a steady red arrow.
1 14 b. An official traffic=control signal at a railroad
1 15 grade crossing, as described in section 321.342,
1 16 to produce recorded images of vehicles violating a
1 17 flashing red or steady circular red light.
1 18 c. A speed measuring device, to produce recorded
1 19 images of motor vehicles travelling at a prohibited
1 20 rate of speed.
1 21 Sec. _____. NEW SECTION. 321.5A Automated traffic
1 22 enforcement systems.
1 23 The state or a local authority shall not use an
1 24 automated traffic enforcement system except as provided
1 25 in this section.
1 26 1. A local authority may by ordinance authorize
1 27 the use of automated traffic enforcement systems to
1 28 detect violations of posted speed limits or official
1 29 traffic=control signals which constitute municipal or
1 30 county infractions.
1 31 2. A local authority shall provide signage, in
1 32 conformance with the uniform system adopted pursuant
1 33 to section 321.252, giving notice of the use of an
1 34 automated traffic enforcement system on the approach to
1 35 each location where an automated traffic enforcement
1 36 system is in use as follows:
1 37 a. A sign shall be posted on each road on the
1 38 approach to the next traffic=control signal where an
1 39 automated traffic enforcement system is in use.
1 40 b. A sign shall be posted on the approach to the
1 41 next speed limit zone on a road where an automated
1 42 traffic enforcement system is being used for speed
1 43 limit enforcement.
1 44 c. A temporary sign shall be positioned or posted
1 45 on the approach to each location where a mobile
1 46 automated traffic enforcement system is being used for
1 47 speed limit enforcement.
1 48 d. A temporary or permanent sign giving notice of
1 49 the use of an automated traffic enforcement system for
1 50 the enforcement of speed limits shall be positioned



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2 1 or posted at a distance in advance of the automated
2 2 traffic enforcement system which, in relation to the
2 3 applicable speed limit, would provide adequate notice
2 4 to a motor vehicle operator travelling at the speed
2 5 limit before entering the range of the automated
2 6 traffic enforcement system.

2 7 3. Recorded images produced by an automated traffic
2 8 enforcement system evidencing a violation of a posted
2 9 speed limit or an official traffic=control signal
2 10 shall be reviewed by a peace officer of the local law
2 11 enforcement agency to affirm that a violation occurred
2 12 and the identity of the motor vehicle involved in the
2 13 violation. If following the officer's review, a notice
2 14 of a fine or citation is issued to the owner of the
2 15 motor vehicle involved in the violation, the following
2 16 requirements apply:

2 17 a. An affidavit bearing the written or electronic
2 18 signature of the peace officer shall be included on the
2 19 notice or citation.

2 20 b. The notice or citation shall contain a
2 21 statement, in bold type, regarding the process for
2 22 appealing the fine.

2 23 c. The notice or citation shall be sent by ordinary
2 24 mail to the owner of the motor vehicle involved not
2 25 more than thirty days following the incident giving
2 26 rise to the notice of a fine or citation, as evidenced
2 27 by the postmark.

2 28 4. A local authority shall not charge the owner
2 29 of a motor vehicle administrative costs in addition
2 30 to any civil penalty imposed for a violation detected
2 31 by an automated traffic enforcement system. Civil
2 32 penalties imposed for such violations shall not exceed
2 33 the following amounts:

2 34 a. For a violation of an official traffic=control
2 35 signal, fifty dollars.

2 36 b. For a violation of a speed limit, the amount
2 37 of the fine established in section 805.8A for an
2 38 equivalent speeding violation charged as a scheduled
2 39 violation, subject to the limitation established in
2 40 section 331.302, subsection 2, for violation of a
2 41 county ordinance, or the limitation established in
2 42 section 364.3, subsection 2, for violation of a city
2 43 ordinance.

2 44 5. A local authority that uses an automated traffic
2 45 enforcement system shall file annually with the
2 46 department of public safety a report comparing the type
2 47 and rate of accidents that occurred at each location
2 48 where an automated traffic enforcement system was
2 49 employed during the previous year to the type and rate
2 50 of accidents at the same location during the previous



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3 1 consecutive year. The report shall be kept on file and
3 2 used by the governing body of the local authority in
3 3 evaluating the effectiveness of the automated traffic
3 4 enforcement program in improving public safety.
3 5 Sec. _____. EXISTING AUTOMATED TRAFFIC
3 6 ENFORCEMENT SYSTEMS ==== VALIDITY OF PRIOR NOTICES
3 7 AND CITATIONS. Notices mailed or citations issued
3 8 of violations committed prior to the effective date
3 9 of this division of this Act, pursuant to a local
3 10 ordinance authorizing the use of an automated traffic
3 11 enforcement system, shall not be invalidated by the
3 12 enactment of this division of this Act and shall be
3 13 processed according to the provisions of the law under
3 14 which they were authorized.>
3 15 #2. By renumbering as necessary.

BRAD ZAUN
SF533.3021 (1) 84
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Senate Amendment 3322

PAG LIN

1 1 Amend Senate File 533 as follows:
1 2 #1. Page 33, after line 17 by inserting:
1 3 <DIVISION ____
1 4 SCHOOL DRESS CODES
1 5 Sec. _____. Section 279.58, subsection 1, Code 2011,
1 6 is amended by striking the subsection.
1 7 Sec. _____. Section 279.58, subsection 2, Code 2011,
1 8 is amended to read as follows:
1 9 2. The board of directors of a school district may
1 10 adopt, for the district or for an individual school
1 11 within the district, a dress code policy that ~~prohibits~~
~~1 12 students from wearing gang-related or other specific~~
~~1 13 apparel prescribes standard dress, or that otherwise~~
~~1 14 imposes limitations on student dress without limiting~~
~~1 15 a student's constitutional rights and privileges,~~
1 16 if the board determines that the policy ~~is necessary~~
~~1 17 for would improve~~ the health, safety, or positive
1 18 educational environment of students and staff in the
1 19 school environment or for the appropriate discipline
1 20 and operation of the school.
1 21 3. Adoption and enforcement of a dress code policy
1 22 pursuant to this section is not a violation of section
1 23 280.22.
1 24 Sec. _____. EFFECTIVE UPON ENACTMENT. This division
1 25 of this Act, being deemed of immediate importance,
1 26 takes effect upon enactment.>
1 27 #2. By renumbering as necessary.

SHAWN HAMERLINCK
SF533.3017 (1) 84
tm/jp



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Senate Amendment 3323

PAG LIN

1 1 Amend Senate File 533 as follows:
1 2 #1. Page 33, after line 17 by inserting:
1 3 <DIVISION ____
1 4 AUTOMATIC PROGRAM SUNSET
1 5 Sec. _____. NEW SECTION. 4A.1 Definitions.
1 6 As used in this chapter, unless the context
1 7 otherwise requires:
1 8 1. "Agency" means the same as the term "department"
1 9 as defined in section 8.2.
1 10 2. "Committee" means the fiscal committee of the
1 11 legislative council created pursuant to section 2.45.
1 12 3. "Program" means a distinct and coherent set of
1 13 activities authorized by law which affects a clearly
1 14 definable target group, problem, or issue and which
1 15 can be supported by appropriations through the budget
1 16 process or by enactments other than appropriations, as
1 17 in the case of tax credits.
1 18 4. "Program review criteria" means the criteria
1 19 required to be considered under section 4A.8.
1 20 5. "Sunset" means the termination or repeal of the
1 21 law authorizing a program.
1 22 Sec. _____. NEW SECTION. 4A.2 Short title.
1 23 This chapter shall be known as and may be cited as
1 24 the "Iowa Sunset Act".
1 25 Sec. _____. NEW SECTION. 4A.3 Automatic sunset of
1 26 programs.
1 27 1. Unless provided otherwise by law, each new
1 28 program that first takes effect by law enacted on
1 29 or after July 1, 2011, shall sunset six years after
1 30 the program's effective date unless reauthorized by
1 31 enactment by the general assembly.
1 32 2. Unless a program is expressly exempted from
1 33 this chapter, if the law authorizing the program is
1 34 enacted on or after July 1, 2011, the law shall include
1 35 a sunset clause clearly indicating the date of the
1 36 program's repeal if the program is not reauthorized by
1 37 enactment by the general assembly.
1 38 3. Any program that is reauthorized by enactment
1 39 by the general assembly pursuant to this section shall
1 40 include a provision specifying that the program shall
1 41 sunset at a date not more than twelve years from the
1 42 effective date of the program's reauthorization.
1 43 4. Unless expressly provided by law, funding shall
1 44 not be expended on a program that has been sunset.
1 45 5. a. Any program to which money was appropriated
1 46 prior to July 1, 2011, may at any time be subject
1 47 to review of the committee by a majority vote of its
1 48 members for the purpose of recommending to the general
1 49 assembly its continuation or sunset.
1 50 b. If a program is subject to sunset, the committee



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2 1 shall conduct public hearings concerning but not
2 2 limited to the applicability of the program review
2 3 criteria to the program, and shall issue a report
2 4 pursuant to section 4A.5. The committee may recommend
2 5 to the general assembly by a majority vote of its
2 6 members that a program under review, to which money was
2 7 appropriated prior to July 1, 2011, should be sunset,
2 8 continued, or reorganized. The committee shall submit
2 9 such recommendation to all members of the general
2 10 assembly within thirty calendar days of the vote in
2 11 which such recommendation is made.

2 12 Sec. _____. NEW SECTION. 4A.4 Information to be
2 13 reported by agencies to fiscal committee.

2 14 Before October 30 of the calendar year in progress
2 15 two years prior to the calendar year in which a state
2 16 program subject to this chapter is scheduled to sunset,
2 17 the agency administering the program shall report all
2 18 of the following information to the committee:

2 19 1. Information regarding the applicability of the
2 20 program review criteria to the program.

2 21 2. Any other information that the agency considers
2 22 appropriate or that is requested by the committee.

2 23 Sec. _____. NEW SECTION. 4A.5 Sunset of programs ====

2 24 committee ==== duties of the committee ==== reports.

2 25 1. Before September 1 of the calendar year in
2 26 progress one year prior to the calendar year in which a
2 27 program subject to this chapter is scheduled to sunset,
2 28 the committee shall do all of the following:

2 29 a. Review and take action necessary to verify the
2 30 reports submitted by the agency pursuant to section
2 31 4A.4.

2 32 b. Consult with the appropriations committee of the
2 33 house of representatives, the appropriations committee
2 34 of the senate, the department of management, the
2 35 auditor of state, and the treasurer of state regarding
2 36 the applicability of the program review criteria to the
2 37 program.

2 38 c. Conduct a performance evaluation of the program
2 39 based on the program review criteria and prepare a
2 40 written report.

2 41 2. The written report prepared by the committee
2 42 pursuant to subsection 1 shall be submitted to the
2 43 general assembly with the report required under section
2 44 4A.7.

2 45 Sec. _____. NEW SECTION. 4A.6 Public hearings
2 46 conducted for programs subject to sunset.

2 47 1. Between September 1 and December 1 of the
2 48 calendar year in progress prior to the calendar year in
2 49 which a program subject to this chapter is scheduled
2 50 to sunset, the committee shall conduct public hearings



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3 1 concerning but not limited to the applicability of the
3 2 program review criteria to the program.
3 3 2. Notwithstanding subsection 1, the committee may
3 4 hold the public hearings prior to September 1 if the
3 5 evaluation of the program required by section 4A.5 is
3 6 complete and available to the public.
3 7 Sec. _____. NEW SECTION. 4A.7 Report on programs
3 8 scheduled to be sunset === auditor report.
3 9 1. At the beginning of each regular session of
3 10 the general assembly, the committee shall present to
3 11 the general assembly and the governor a report on the
3 12 programs scheduled to be sunset. In the report, the
3 13 committee shall include all of the following:
3 14 a. The committee's specific findings regarding each
3 15 of the program criteria.
3 16 b. The committee's recommendations, as specified by
3 17 section 4A.3.
3 18 c. Recommendations on the sunset, continuation, or
3 19 reorganization of each affected program and on the need
3 20 for the performance of the functions of the program.
3 21 d. Recommendations on the consolidation, transfer,
3 22 or reorganization of programs within agencies not under
3 23 review if the programs duplicate functions performed
3 24 by programs under review.
3 25 e. Recommendations as to the appropriate
3 26 appropriation levels for each program for which sunset
3 27 or reorganization is recommended pursuant to this
3 28 subsection.
3 29 f. Draft legislation necessary to carry out
3 30 the committee's recommendations pursuant to this
3 31 subsection.
3 32 g. Any other information the committee deems
3 33 necessary for a complete evaluation of the program.
3 34 2. On the date the committee presents its report
3 35 to the general assembly pursuant to subsection 1, the
3 36 committee shall present to the auditor of state the
3 37 committee's recommendations that do not require a
3 38 statutory change to be put into effect. The auditor
3 39 of state shall examine the recommendations and shall
3 40 prepare, as part of the next scheduled audit of the
3 41 program, a report on the manner in which the agency has
3 42 implemented the committee's recommendations.
3 43 Sec. _____. NEW SECTION. 4A.8 Criteria considered by
3 44 committee.
3 45 The committee shall consider all of the following
3 46 criteria in determining whether a public need
3 47 exists for the continuation of a program, or for the
3 48 performance of the functions of the program:
3 49 1. The program's operating efficiency.
3 50 2. An identification of the objectives intended for



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4 1 the program and the problem or need that the program
4 2 was intended to address, the extent to which the
4 3 objectives have been achieved, and any activities of
4 4 the agency in addition to those granted by statute and
4 5 the authority for such activities.
4 6 3. An assessment of less restrictive or alternative
4 7 methods of protecting the public in lieu of any
4 8 existing rule or regulation applied by the agency.
4 9 4. The extent to which the jurisdiction of the
4 10 agency and the programs administered by the agency
4 11 overlap or duplicate those of other agencies and
4 12 the extent to which the programs administered by the
4 13 agency can be consolidated with the programs of other
4 14 agencies.
4 15 5. An assessment of the extent to which the agency
4 16 has recommended to the general assembly statutory
4 17 changes calculated to be of benefit to the public
4 18 rather than to an occupation, business, or institution
4 19 that the agency regulates.
4 20 6. An evaluation of the promptness and
4 21 effectiveness with which the agency disposes of
4 22 complaints concerning persons affected by the program.
4 23 7. An assessment of the extent to which the agency
4 24 has encouraged participation by the public in making
4 25 rules and decisions as opposed to participation solely
4 26 by those it regulates and the extent to which the
4 27 public participation has resulted in rules compatible
4 28 with the objectives of the program.
4 29 8. The extent to which the agency has complied with
4 30 applicable requirements of all of the following:
4 31 a. An agency of the United States or this state
4 32 regarding equality of employment opportunity and the
4 33 rights and privacy of individuals.
4 34 b. State law and applicable rules of any
4 35 agency regarding purchasing goals and programs for
4 36 historically underutilized businesses, including but
4 37 not limited to the goals for small businesses and
4 38 targeted small businesses in this state under section
4 39 73.16.
4 40 9. The extent to which changes are necessary in the
4 41 enabling statutes of the program so that the agency can
4 42 adequately comply with the criteria established in this
4 43 section.
4 44 10. The extent to which the agency issues and
4 45 enforces rules relating to potential conflicts of
4 46 interest of its employees.
4 47 11. The extent to which the agency complies with
4 48 chapter 22 and follows records management practices
4 49 that enable the agency to respond efficiently to
4 50 requests for public information.



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5 1 12. The effect of federal intervention or loss of
5 2 federal funds if the program is sunset.
5 3 Sec. _____. NEW SECTION. 4A.9 Exemption for certain
5 4 agencies.
5 5 1. In the two=year period preceding the date
5 6 scheduled for the sunset of a program in accordance
5 7 with this chapter, the committee may exempt the program
5 8 from the requirements of this chapter relating to staff
5 9 reports, hearings, and evaluations. The committee
5 10 shall only exempt a program that has been inactive for
5 11 a period of two years preceding the date the program is
5 12 scheduled to sunset.
5 13 2. The committee's action in exempting a program
5 14 pursuant to this section requires an affirmative record
5 15 vote of all members of the committee.
5 16 Sec. _____. NEW SECTION. 4A.10 Activities of the
5 17 general assembly not restricted.
5 18 This chapter does not restrict the general assembly
5 19 from doing any of the following:
5 20 1. Terminating a program at a date earlier than
5 21 required in accordance with this chapter.
5 22 2. Considering any other legislation relative to a
5 23 program subject to this chapter.
5 24 Sec. _____. NEW SECTION. 4A.11 Duration of sunset
5 25 program === procedures for terminated programs.
5 26 1. a. A program that is sunset may continue in
5 27 existence to conclude its business until September 1 of
5 28 the fiscal year following the fiscal year in which the
5 29 program was sunset. Unless the law provides otherwise,
5 30 the sunset of a program does not reduce or otherwise
5 31 limit the powers and authority of the agency during the
5 32 concluding year.
5 33 b. A program is terminated and shall cease all
5 34 activities on or before the date specified in paragraph
5 35 "a". Unless the law provides otherwise, all rules
5 36 adopted pertaining to the program shall expire on that
5 37 date.
5 38 2. a. Any unobligated or unexpended appropriations
5 39 of a sunset program lapse on the date specified in
5 40 subsection 1 and shall revert to the general fund of
5 41 the state on that date.
5 42 b. Except as provided by subsection 5 or as
5 43 otherwise provided by law, all moneys in a dedicated
5 44 fund of a program that is sunset in accordance with
5 45 this chapter shall be transferred to the general fund
5 46 of the state on the date specified in subsection 1.
5 47 Any law or portion of a law dedicating moneys to a
5 48 specific fund of a program that is sunset is void on
5 49 the date specified in subsection 1.
5 50 3. Unless the governor designates an appropriate



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6 1 agency as described in subsection 4, the property and
6 2 records in the custody of an agency administering a
6 3 sunset program on the date specified in subsection
6 4 1 shall be transferred to the department of
6 5 administrative services. However, if the governor
6 6 designates an appropriate agency as described in
6 7 subsection 4, the property and records shall be
6 8 transferred to the designated agency.

6 9 4. a. In recognition of the state's continuing
6 10 obligation to pay bonded indebtedness and all other
6 11 obligations, including lease, contract, and other
6 12 written obligations, incurred by a program subject to
6 13 sunset in accordance with this chapter, the sunset
6 14 of the program shall not impair or impede payment
6 15 of bonded indebtedness and all other obligations,
6 16 including lease, contract, and other written
6 17 obligations, in accordance with their terms.

6 18 b. If an agency has outstanding bonded indebtedness
6 19 or other outstanding obligations for a program that is
6 20 sunset, including lease, contract, or other written
6 21 obligations, the bonds and all other such obligations
6 22 remain valid and enforceable in accordance with
6 23 their terms and subject to all applicable terms and
6 24 conditions of the laws and proceedings authorizing the
6 25 bonds and all other such obligations. The governor
6 26 shall designate an appropriate agency to continue
6 27 to carry out all covenants contained in the bonds
6 28 and all other such obligations, and the proceedings
6 29 authorizing them, including the issuance of bonds,
6 30 and the performance of all other such obligations
6 31 to complete the construction of projects or the
6 32 performance of other such obligations. The designated
6 33 agency shall provide payment from the sources of
6 34 payment of the bonds in accordance with the terms of
6 35 the bonds and shall provide payment from the sources of
6 36 payment from all other such obligations in accordance
6 37 with their terms, whether from taxes, revenues, or
6 38 otherwise, until the bonds and interest on the bonds
6 39 are paid in full and are performed and paid in full.
6 40 If the terms of the obligation so provide, all funds
6 41 established by law or proceedings authorizing the bonds
6 42 or authorizing other such obligations shall remain
6 43 with the treasurer of state or previously designated
6 44 trustees. If the proceedings do not provide that the
6 45 funds remain with the treasurer of state or previously
6 46 designated trustees, the funds shall be transferred to
6 47 the designated agency.

6 48 Sec. _____. NEW SECTION. 4A.12 State agencies and
6 49 officers to provide assistance to committee.

6 50 1. The committee may request the assistance



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7 1 of agencies and officers to assist in gathering
7 2 information pursuant to the committee objective.
7 3 2. In carrying out its functions pursuant to
7 4 this chapter, the committee may inspect the records,
7 5 documents, and files of any agency.
7 6 Sec. _____. NEW SECTION. 4A.13 Department of
7 7 workforce development to assist displaced employees.
7 8 If an employee is displaced because a program is
7 9 sunset, reorganized, or discontinued, the affected
7 10 agency and the department of workforce development
7 11 shall make a reasonable effort to relocate the
7 12 displaced employee.
7 13 Sec. _____. NEW SECTION. 4A.14 Rights and duties not
7 14 affected by program sunset.
7 15 Unless otherwise expressly provided by law,
7 16 the sunset of a program does not affect the rights
7 17 and duties that matured, penalties incurred or
7 18 imposed, civil or criminal liabilities that arose, or
7 19 proceedings initiated in connection with the program
7 20 before the effective date of the program's sunset.>
7 21 #2. By renumbering as necessary.

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SF533.3022 (2) 84
tm/jp



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Senate Amendment 3324

PAG LIN

1 1 Amend Senate File 533 as follows:
1 2 #1. Page 33, after line 17 by inserting:
1 3 <DIVISION ____
1 4 WITHHOLDING AGREEMENTS
1 5 Sec. _____. Section 403.19A, subsection 1, paragraphs
1 6 c and f, Code 2011, are amended to read as follows:
1 7 c. "Employer" means a business creating or
1 8 retaining targeted jobs in an urban renewal area of a
1 9 pilot project city pursuant to a withholding agreement.
1 10 f. "Targeted job" means a job in a business which
1 11 is or will be located in an urban renewal area of a
1 12 pilot project city that pays a wage at least equal to
1 13 the countywide average wage. "Targeted job" includes
1 14 new or retained jobs from Iowa business expansions
1 15 or retentions within the city limits of the pilot
1 16 project city and those jobs resulting from established
1 17 out-of-state businesses, as defined by the department
1 18 of economic development, moving to or expanding in
1 19 Iowa.
1 20 Sec. _____. Section 403.19A, subsection 3, paragraph
1 21 c, subparagraph (1), Code 2011, is amended to read as
1 22 follows:
1 23 (1) The pilot project city shall enter into a
1 24 withholding agreement with each employer concerning
1 25 the targeted jobs withholding credit. The withholding
1 26 agreement shall provide for the total amount of
1 27 withholding tax credits awarded. An agreement shall
1 28 not provide for an amount of withholding credits that
1 29 exceeds the amount of the qualifying investment made in
1 30 the project. An agreement shall not be entered into by
1 31 a pilot project city with a business currently located
1 32 in this state unless the business either creates or
1 33 retains ten new jobs or makes a qualifying investment
1 34 of at least five hundred thousand dollars within
1 35 the urban renewal area. The withholding agreement
1 36 may have a term of up to ten years. An employer
1 37 shall not be obligated to enter into a withholding
1 38 agreement. An agreement shall not be entered into with
1 39 an employer not already located in a pilot project
1 40 city when another Iowa community is competing for the
1 41 same project and both the pilot project city and the
1 42 other Iowa community are seeking assistance from the
1 43 department.
1 44 Sec. _____. Section 403.19A, subsection 3, paragraph
1 45 f, Code 2011, is amended to read as follows:
1 46 f. If the employer ceases to meet the requirements
1 47 of the withholding agreement, the agreement shall be
1 48 terminated and any withholding tax credits for the
1 49 benefit of the employer shall cease. However, in
1 50 regard to the number of ~~new~~ jobs that are to be created



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Senate Amendment 3324 continued

2 1 or retained, if the employer has met the number of
2 2 ~~new~~ jobs to be created or retained pursuant to the
2 3 withholding agreement and subsequently the number of
2 4 ~~new~~ jobs falls below the required level, the employer
2 5 shall not be considered as not meeting the ~~new~~ job
2 6 requirement until eighteen months after the date of the
2 7 decrease in the number of ~~new~~ jobs created or retained.
2 8 Sec. _____. EFFECTIVE UPON ENACTMENT AND RETROACTIVE
2 9 APPLICABILITY. This division of this Act, being
2 10 deemed of immediate importance, takes effect upon
2 11 enactment and applies retroactively to July 1, 2006,
2 12 for agreements entered into on or after that date.>
2 13 #2. By renumbering as necessary.

THOMAS G. COURTNEY
SF533.3052 (3) 84
tm/jp



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Senate Amendment 3325

PAG LIN

1 1 Amend Senate File 533 as follows:

1 2 #1. Page 33, after line 17 by inserting:

1 3 <DIVISION _____

1 4 PUBLIC IMPROVEMENT CONTRACTS

1 5 Sec. _____. Section 73A.21, Code 2011, is amended to
1 6 read as follows:

1 7 73A.21 Reciprocal resident bidder and resident labor
1 8 force preference by state, its agencies, and political
1 9 subdivisions ~~===~~ penalties.

1 10 1. For purposes of this section:

1 11 a. "Commissioner" means the labor commissioner
1 12 appointed pursuant to section 91.2, or the labor
1 13 commissioner's designee.

1 14 b. "Division" means the division of labor of the
1 15 department of workforce development.

1 16 c. "Nonresident bidder" means a person or entity who
1 17 does not meet the definition of a resident bidder.

1 18 d. "Public body" means the state and any of its
1 19 political subdivisions, including a school district,
1 20 public utility, or the state board of regents.

1 21 ~~a.~~ e. "Public improvement" means ~~public~~
1 22 ~~improvements as defined in section 73A.1~~ a building or
1 23 other construction work to be paid for in whole or in
1 24 part by the use of funds of the state, its agencies,
1 25 and any of its political subdivisions and includes road
1 26 construction, reconstruction, and maintenance projects.

1 27 f. "Public utility" includes municipally owned
1 28 utilities and municipally owned waterworks.

1 29 ~~b.~~ g. "Resident bidder" means a person or entity
1 30 authorized to transact business in this state and
1 31 having a place of business for transacting business
1 32 within the state at which it is conducting and has
1 33 conducted business for at least ~~six months~~ three years
1 34 prior to the date of the first advertisement for the
1 35 public improvement ~~and in the case of a corporation,~~
1 36 ~~having at least fifty percent of its common stock~~
1 37 ~~owned by residents of this state.~~ If another state
1 38 or foreign country has a more stringent definition of
1 39 a resident bidder, the more stringent definition is
1 40 applicable as to bidders from that state or foreign
1 41 country.

1 42 h. "Resident labor force preference" means a
1 43 requirement in which all or a portion of a labor force
1 44 working on a public improvement is a resident of a
1 45 particular state or country.

1 46 2. Notwithstanding this chapter, chapter 73,
1 47 chapter 309, chapter 310, chapter 331, or chapter
1 48 384, when a contract for a public improvement is
1 49 to be awarded to the lowest responsible bidder, a
1 50 resident bidder shall be allowed a preference as



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Senate Amendment 3325 continued

2 1 against a nonresident bidder from a state or foreign
2 2 country ~~which~~ if that state or foreign country gives
2 3 or requires ~~a~~ any preference to bidders from that
2 4 state or foreign country, including but not limited
2 5 to any preference to bidders, the imposition of any
2 6 type of labor force preference, or any other form of
2 7 preferential treatment to bidders or laborers from that
2 8 state or foreign country. The preference ~~is~~ allowed
2 9 shall be equal to the preference given or required by
2 10 the state or foreign country in which the nonresident
2 11 bidder is a resident. In the instance of a resident
2 12 labor force preference, a nonresident bidder shall
2 13 apply the same resident labor force preference to a
2 14 public improvement in this state as would be required
2 15 in the construction of a public improvement by the
2 16 state or foreign country in which the nonresident
2 17 bidder is a resident.

~~2 18 3. This section applies to the state, its agencies,~~
~~2 19 and any political subdivisions of the state.~~

2 20 4. ~~3.~~ If it is determined that this may cause
2 21 denial of federal funds which would otherwise be
2 22 available, or would otherwise be inconsistent with
2 23 requirements of any federal law or regulation, this
2 24 section shall be suspended, but only to the extent
2 25 necessary to prevent denial of the funds or to
2 26 eliminate the inconsistency with federal requirements.

2 27 4. The public body involved in a public improvement
2 28 shall require a nonresident bidder to specify on all
2 29 project bid specifications and contract documents
2 30 whether any preference as described in subsection 2 is
2 31 in effect in the nonresident bidder's state or country
2 32 of domicile at the time of a bid submittal.

2 33 5. The commissioner and the division shall
2 34 administer and enforce this section, and the
2 35 commissioner shall adopt rules for the administration
2 36 and enforcement of this section as provided in section
2 37 91.6.

2 38 6. The commissioner shall have the following powers
2 39 and duties for the purposes of this section:

2 40 a. The commissioner may hold hearings and
2 41 investigate charges of violations of this section.

2 42 b. The commissioner may, consistent with due
2 43 process of law, enter any place of employment to
2 44 inspect records concerning labor force residency, to
2 45 question an employer or employee, and to investigate
2 46 such facts, conditions, or matters as are deemed
2 47 appropriate in determining whether any person
2 48 has violated the provisions of this section. The
2 49 commissioner shall only make such an entry in response
2 50 to a written complaint.



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Senate Amendment 3325 continued

3 1 c. The commissioner shall develop a written
3 2 complaint form applicable to this section and make it
3 3 available in division offices and on the department of
3 4 workforce development's internet site.

3 5 d. The commissioner may sue for injunctive relief
3 6 against the awarding of a contract, the undertaking of
3 7 a public improvement, or the continuation of a public
3 8 improvement in response to a violation of this section.

3 9 e. The commissioner may investigate and ascertain
3 10 the residency of a worker engaged in any public
3 11 improvement in this state.

3 12 f. The commissioner may administer oaths, take
3 13 or cause to be taken deposition of witnesses, and
3 14 require by subpoena the attendance and testimony of
3 15 witnesses and the production of all books, registers,
3 16 payrolls, and other evidence relevant to a matter under
3 17 investigation or hearing.

3 18 g. The commissioner shall require a contractor or
3 19 subcontractor to file, within ten days of receipt of a
3 20 request, any records enumerated in subsection 8. If
3 21 the contractor or subcontractor fails to provide the
3 22 requested records within ten days, the commissioner
3 23 may direct, within fifteen days after the end of the
3 24 ten-day period, that the fiscal or financial office
3 25 charged with the custody and disbursement of funds of
3 26 the public body that contracted for construction of the
3 27 public improvement or undertook the public improvement,
3 28 to immediately withhold from payment to the contractor
3 29 or subcontractor up to twenty-five percent of the
3 30 amount to be paid to the contractor or subcontractor
3 31 under the terms of the contract or written instrument
3 32 under which the public improvement is being performed.
3 33 The amount withheld shall be immediately released
3 34 upon receipt by the public body of a notice from the
3 35 commissioner indicating that the request for records as
3 36 required by this section has been satisfied.

3 37 7. While participating in a public improvement,
3 38 a nonresident bidder domiciled in a state or country
3 39 that has established a resident labor force preference
3 40 shall make and keep, for a period of not less than
3 41 three years, accurate records of all workers employed
3 42 by the contractor or subcontractor on the public
3 43 improvement. The records shall include each worker's
3 44 name, address, telephone number when available, social
3 45 security number, trade classification, and the starting
3 46 and ending time of employment.

3 47 8. Any person or entity that violates the
3 48 provisions of this section is subject to a civil
3 49 penalty in an amount not to exceed one thousand dollars
3 50 for each violation found in a first investigation by



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Senate Amendment 3325 continued

4 1 the division, not to exceed five thousand dollars
4 2 for each violation found in a second investigation
4 3 by the division, and not to exceed fifteen thousand
4 4 dollars for a third or subsequent violation found
4 5 in any subsequent investigation by the division.
4 6 Each violation of this section for each worker and
4 7 for each day the violation continues constitutes a
4 8 separate and distinct violation. In determining the
4 9 amount of the penalty, the division shall consider the
4 10 appropriateness of the penalty to the person or entity
4 11 charged, upon determination of the gravity of the
4 12 violations. The collection of these penalties shall
4 13 be enforced in a civil action brought by the attorney
4 14 general on behalf of the division.
4 15 9. A party seeking review of the division's
4 16 determination pursuant to this section may file a
4 17 written request for an informal conference. The
4 18 request must be received by the division within fifteen
4 19 days after the date of issuance of the division's
4 20 determination. During the conference, the party
4 21 seeking review may present written or oral information
4 22 and arguments as to why the division's determination
4 23 should be amended or vacated. The division shall
4 24 consider the information and arguments presented and
4 25 issue a written decision advising all parties of the
4 26 outcome of the conference.
4 27 Sec. _____. Section 331.341, subsection 2, Code 2011,
4 28 is amended to read as follows:
4 29 2. The board shall give preference to Iowa products
4 30 ~~and labor~~ in accordance with chapter 73 and shall
4 31 comply with bid and contract requirements in chapter
4 32 26.
4 33 Sec. _____. REPEAL. Sections 73.3 and 73.4, Code
4 34 2011, are repealed.
4 35 Sec. _____. EFFECTIVE UPON ENACTMENT. This division
4 36 of this Act, being deemed of immediate importance,
4 37 takes effect upon enactment.
4 38 Sec. _____. APPLICABILITY. This division of this
4 39 Act applies to all public improvement projects, and to
4 40 public improvement contracts entered into on or after
4 41 July 1, 2011.>
4 42 #2. By renumbering as necessary.

BILL DIX
SF533.3054 (2) 84
tm/jp



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Senate Amendment 3326

PAG LIN

1 1 Amend the amendment, S=3312, to Senate File 533 as
1 2 follows:
1 3 #1. Page 1, by striking lines 3 through 20 and
1 4 inserting:
1 5 <<Sec. _____. Section 422.11S, subsection 4, Code
1 6 2011, is amended to read as follows:
1 7 4. Married taxpayers who file separate returns
1 8 or file separately on a combined return form must
1 9 determine the tax credit under subsection 1 based
1 10 upon their combined net income and allocate the total
1 11 credit amount to each spouse in the proportion that
1 12 each spouse's respective net income bears to the
1 13 total combined net income. Nonresidents or part-year
1 14 residents of Iowa must determine their tax credit in
1 15 the ratio of their Iowa source net income to their
1 16 all source net income. Nonresidents or part-year
1 17 residents who are married and elect to file separate
1 18 returns or to file separately on a combined return form
1 19 must allocate the tax credit between the spouses in
1 20 the ratio of each spouse's Iowa source net income to
1 21 the combined Iowa source net income of the taxpayers.
1 22 An individual may claim the tax credit allowed a
1 23 partnership, limited liability, S corporation,
1 24 estate, or trust electing to have the income taxed
1 25 directly to the individual. The amount claimed by the
1 26 individual shall be based upon the pro rata share of
1 27 the individual's earnings of the partnership, limited
1 28 liability company, S corporation, estate, or trust.
1 29 Sec. _____. Section 422.11S, subsection 7, paragraph
1 30 a, subparagraph (2), Code 2011, is amended to read as
1 31 follows:
1 32 (2) "Total approved tax credits" means for the
1 33 tax year beginning in the 2006 calendar year, two
1 34 million five hundred thousand dollars, for the tax
1 35 year beginning in the 2007 calendar year, five million
1 36 dollars, and for tax years beginning on or after
1 37 January 1, 2008, and before January 1, 2012, seven
1 38 million five hundred thousand dollars. For the tax
1 39 year beginning on January 1, 2012, "total approved
1 40 tax credits" means eight million seven hundred fifty
1 41 thousand dollars, and for tax years beginning on or
1 42 after January 1, 2013, ten million dollars. >>
1 43 #2. By renumbering as necessary.

RANDY FEENSTRA

DAVID JOHNSON
S3312.3059 (1) 84
tm/jp



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Senate Amendment 3327

PAG LIN

1 1 Amend Senate File 533 as follows:
1 2 #1. Page 24, line 13, by striking <subparagraph> and
1 3 inserting <subparagraphs>
1 4 #2. Page 24, after line 15 by inserting:
1 5 <NEW SUBPARAGRAPH. (18) One member selected by the
1 6 Iowa floodplain and stormwater management association.
1 7 NEW SUBPARAGRAPH. (19) One member selected by Iowa
1 8 rivers revival.>

JOE BOLKCOM
SF533.3060 (1) 84
tm/jp



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Senate Amendment 3328

PAG LIN

1 1 Amend Senate File 514, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 1, lines 10 and 11, by striking <allocate
1 4 at least> and inserting <not allocate more than>
1 5 #2. By renumbering as necessary.
SF514.3057.H (1) 84
mb



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Senate Amendment 3329

PAG LIN

1 1 Amend Senate File 466, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. By striking everything after the enacting clause
1 4 and inserting:
1 5 <Section 1. NEW SECTION. 103A.71 Residential
1 6 contractors.
1 7 1. As used in this section:
1 8 a. "Catastrophe" means a natural occurrence
1 9 including but not limited to fire, earthquake, tornado,
1 10 windstorm, flood, or hail storm, which damages or
1 11 destroys residential real estate.
1 12 b. "Residential contractor" means a person in
1 13 the business of contracting to repair or replace
1 14 residential roof systems or perform any other
1 15 exterior repair, exterior replacement, or exterior
1 16 reconstruction work resulting from a catastrophe
1 17 on residential real estate or a person offering to
1 18 contract with an owner or possessor of residential real
1 19 estate to carry out such work.
1 20 c. "Residential real estate" means a new or existing
1 21 building, including a detached garage, constructed for
1 22 habitation by one to four families.
1 23 d. "Roof system" includes roof coverings, roof
1 24 sheathing, roof weatherproofing, and roof insulation.
1 25 2. A residential contractor shall not advertise
1 26 or promise to rebate any insurance deductible or
1 27 any portion thereof as an inducement to the sale of
1 28 goods or services. A promise to rebate any insurance
1 29 deductible includes granting any allowance or offering
1 30 any discount against the fees to be charged or paying
1 31 a person directly or indirectly associated with the
1 32 residential real estate any form of compensation,
1 33 except for items of nominal value. A residential
1 34 contractor may display a sign or any other type of
1 35 advertisement on a person's premises provided the
1 36 person consents to the display and the person receives
1 37 no compensation from the residential contractor for the
1 38 placement of the sign or advertising.
1 39 3. A residential contractor shall not represent
1 40 or negotiate on behalf of, or offer or advertise
1 41 to represent or negotiate on behalf of, an owner or
1 42 possessor of residential real estate on any insurance
1 43 claim in connection with the repair or replacement
1 44 of roof systems, or the performance of any other
1 45 exterior repair, exterior replacement, or exterior
1 46 reconstruction work on the residential real estate.
1 47 4. a. A residential contractor contracting to
1 48 provide goods or services to repair damage resulting
1 49 from a catastrophe shall provide the person with whom
1 50 it is contracting a fully completed duplicate notice in



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Senate Amendment 3329 continued

2 1 at least ten=point bold type which shall contain the
2 2 following statement:
2 3 NOTICE OF BINDING CONTRACT
2 4 You are entering into a legally binding contract
2 5 with (insert name of residential contractor) to provide
2 6 goods and services to repair damage resulting from
2 7 a naturally occurring catastrophe including but not
2 8 limited to a fire, earthquake, tornado, windstorm,
2 9 flood, or hail storm. Except as described in the next
2 10 sentence, you are responsible for payment to (insert
2 11 name of residential contractor) for the cost of all
2 12 goods and services provided whether or not you receive
2 13 payment from any property and casualty insurance
2 14 policy with respect to the damage. Your contract
2 15 with (insert name of residential contractor) is void
2 16 and you have no responsibility for payment under the
2 17 contract if (insert name of residential contractor)
2 18 either advertises or promises to rebate all or any
2 19 portion of your insurance deductible, or represents or
2 20 negotiates, or offers to represent or negotiate, on
2 21 your behalf with your property and casualty insurance
2 22 company on any insurance claim relating to the damage
2 23 you have contracted to have repaired. Your signature
2 24 below acknowledges your understanding of these legal
2 25 obligations and rights.

2 26
2 27 _____
2 27 Date

2 28
2 29 _____
2 29 Signature

2 30 b. The notice shall be executed by the person with
2 31 whom the residential contractor is contracting prior to
2 32 or contemporaneously with entering into the contract.

2 33 5. A contract entered into with a residential
2 34 contractor is void if the residential contractor
2 35 violates subsection 2, 3, or 4.

2 36 6. A residential contractor violating this section
2 37 is subject to the penalties and remedies prescribed by
2 38 this chapter.

2 39 7. This section shall not be construed to alter
2 40 or affect the rights and duties prescribed in chapter
2 41 555A.

2 42 Sec. 2. APPLICABILITY. This Act applies to
2 43 contracts entered into on or after the effective date
2 44 of this Act.>

2 45 #2. Title page, line 2, after <penalty> by inserting
2 46 <and including applicability provisions>

SF466.3056.H (1) 84

mb



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Senate Study Bill 1211

SENATE/HOUSE FILE
BY (PROPOSED GOVERNOR'S
BUDGET BILL)

A BILL FOR

1 An Act relating to the compensation and benefits for public
2 officials and employees, providing for related matters, and
3 making appropriations.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 1019XG (13) 84
tm/rj



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Senate Study Bill 1211 continued

PAG LIN

1 1 Section 1. APPOINTED STATE OFFICERS.

1 2 1. The governor shall establish a salary for appointed
1 3 nonelected persons in the executive branch of state government
1 4 holding a position enumerated in the section of this Act that
1 5 addresses the salary ranges of state officers within the range
1 6 provided, by considering, among other items, the experience
1 7 of the individual in the position, changes in the duties of
1 8 the position, the incumbent's performance of assigned duties,
1 9 and subordinates' salaries. However, the attorney general
1 10 shall establish the salary for the consumer advocate, the
1 11 supreme court shall establish the salary for the state court
1 12 administrator, the ethics and campaign disclosure board shall
1 13 establish the salary of the executive director, and the Iowa
1 14 public broadcasting board shall establish the salary of the
1 15 administrator of the public broadcasting division of the
1 16 department of education, each within the salary range provided
1 17 in the section of this Act that addresses the salary ranges of
1 18 state officers.

1 19 2. The governor, in establishing salaries as provided in
1 20 this section, shall take into consideration other employee
1 21 benefits which may be provided for an individual including but
1 22 not limited to housing.

1 23 3. A person whose salary is established pursuant to this
1 24 section and who is a full-time, year-round employee of the
1 25 state shall not receive any other remuneration from the state
1 26 or from any other source for the performance of that person's
1 27 duties unless the additional remuneration is first approved by
1 28 the governor or authorized by law. However, this provision
1 29 does not exclude the reimbursement for necessary travel and
1 30 expenses incurred in the performance of duties or fringe
1 31 benefits normally provided to employees of the state.

1 32 Sec. 2. STATE OFFICERS == SALARY RANGE. The following
1 33 annual salary ranges are effective for the positions specified
1 34 in this section for the fiscal years beginning July 1, 2011,
1 35 and July 1, 2012, and for subsequent fiscal years until



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Senate Study Bill 1211 continued

2 1 otherwise provided by the general assembly. The governor or
2 2 other person designated in the section of this Act relating to
2 3 appointed state officers shall determine the salary to be paid
2 4 to the person indicated at a rate within this salary range from
2 5 funds appropriated by the general assembly for that purpose.
2 6 1. The following are salary ranges for appointed state
2 7 officers for the fiscal year beginning July 1, 2011, effective
2 8 with the pay period beginning June 24, 2011, and for the fiscal
2 9 year beginning July 1, 2012, effective with the pay period
2 10 beginning June 22, 2012:

2 11	SALARY RANGE	<u>Minimum</u>
<u>Maximum</u>		
2 12	a. Range 3\$ 55,380	\$ 84,750
2 13	b. Range 4\$ 63,690	\$ 97,460
2 14	c. Range 5\$ 73,250	\$112,070
2 15	d. Range 6\$ 84,240	\$128,890
2 16	e. Range 7\$100,840	\$154,300
2 17	2. The following are range 3 positions: executive director	
2 18	of the department of veterans affairs, and chairperson and	
2 19	members of the employment appeal board of the department of	
2 20	inspections and appeals.	
2 21	3. The following are range 4 positions: director of the	
2 22	department of human rights, director of the Iowa state civil	
2 23	rights commission, executive director of the college student	
2 24	aid commission, director of the department for the blind,	
2 25	executive director of the ethics and campaign disclosure board,	
2 26	chairperson and members of the public employment relations	
2 27	board, and chairperson, vice chairperson, and members of the	
2 28	board of parole.	
2 29	4. The following are range 5 positions: administrator of	
2 30	the division of homeland security and emergency management of	
2 31	the department of public defense, state public defender, drug	
2 32	policy coordinator, labor commissioner, workers' compensation	
2 33	commissioner, director of the department of cultural affairs,	
2 34	director of the department on aging, and director of the law	
2 35	enforcement academy.	



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Senate Study Bill 1211 continued

3 1 5. The following are range 6 positions: superintendent of
3 2 banking, superintendent of credit unions, administrator of the
3 3 alcoholic beverages division of the department of commerce,
3 4 director of the department of inspections and appeals,
3 5 commandant of the Iowa veterans home, commissioner of public
3 6 safety, commissioner of insurance, executive director of the
3 7 Iowa finance authority, director of the department of natural
3 8 resources, consumer advocate, and chairperson of the utilities
3 9 board. The other members of the utilities board shall receive
3 10 an annual salary within a range of not less than 90 percent
3 11 but not more than 95 percent of the annual salary of the
3 12 chairperson of the utilities board.

3 13 6. The following are range 7 positions: administrator
3 14 of the public broadcasting division of the department
3 15 of education, director of the department of corrections,
3 16 director of the department of education, director of human
3 17 services, executive director of the Iowa telecommunications
3 18 and technology commission, executive director of the state
3 19 board of regents, director of transportation, director of the
3 20 department of workforce development, director of revenue,
3 21 director of public health, state court administrator, director
3 22 of the department of management, director of the department of
3 23 administrative services, chief information officer, and state
3 24 debt coordinator.

3 25 Sec. 3. COLLECTIVE BARGAINING AGREEMENTS FUNDED. The
3 26 various state departments, boards, commissions, councils, and
3 27 agencies, including the state board of regents, for the fiscal
3 28 years beginning July 1, 2011, and July 1, 2012, shall provide
3 29 from available sources pay adjustments, expense reimbursements,
3 30 and related benefits to fully fund the following:

3 31 1. The collective bargaining agreement negotiated pursuant
3 32 to chapter 20 for employees in the blue collar bargaining unit.

3 33 2. The collective bargaining agreement negotiated pursuant
3 34 to chapter 20 for employees in the public safety bargaining
3 35 unit.



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Senate Study Bill 1211 continued

4 1 3. The collective bargaining agreement negotiated pursuant
4 2 to chapter 20 for employees in the security bargaining unit.
4 3 4. The collective bargaining agreement negotiated pursuant
4 4 to chapter 20 for employees in the technical bargaining unit.
4 5 5. The collective bargaining agreement negotiated pursuant
4 6 to chapter 20 for employees in the professional fiscal and
4 7 staff bargaining unit.
4 8 6. The collective bargaining agreement negotiated pursuant
4 9 to chapter 20 for employees in the clerical bargaining unit.
4 10 7. The collective bargaining agreement negotiated pursuant
4 11 to chapter 20 for employees in the professional social services
4 12 bargaining unit.
4 13 8. The collective bargaining agreement negotiated pursuant
4 14 to chapter 20 for employees in the community-based corrections
4 15 bargaining unit.
4 16 9. The collective bargaining agreements negotiated
4 17 pursuant to chapter 20 for employees in the judicial branch of
4 18 government bargaining units.
4 19 10. The collective bargaining agreement negotiated pursuant
4 20 to chapter 20 for employees in the patient care bargaining
4 21 unit.
4 22 11. The collective bargaining agreement negotiated pursuant
4 23 to chapter 20 for employees in the science bargaining unit.
4 24 12. The collective bargaining agreement negotiated pursuant
4 25 to chapter 20 for employees in the university of northern Iowa
4 26 faculty bargaining unit.
4 27 13. The collective bargaining agreement negotiated pursuant
4 28 to chapter 20 for employees in the state university of Iowa
4 29 graduate student bargaining unit.
4 30 14. The collective bargaining agreement negotiated pursuant
4 31 to chapter 20 for employees in the state university of Iowa
4 32 hospital and clinics tertiary health care bargaining unit.
4 33 15. The annual pay adjustments, related benefits, and
4 34 expense reimbursements referred to in the sections of this
4 35 Act addressing noncontract state and state board of regents



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5 1 employees who are not covered by a collective bargaining
5 2 agreement.
5 3 Sec. 4. NONCONTRACT STATE EMPLOYEES == GENERAL.
5 4 1. a. For the fiscal year beginning July 1, 2011, and
5 5 ending June 30, 2012, the maximum and minimum salary levels of
5 6 all pay plans provided for in section 8A.413, subsection 3, as
5 7 they exist for the fiscal year ending June 30, 2011, shall be
5 8 increased by 2 percent for the pay period beginning June 24,
5 9 2011. The maximum and minimum salary levels of all pay plans
5 10 provided for in section 8A.413, subsection 3, as they exist on
5 11 December 22, 2011, shall be increased by 1 percent for the pay
5 12 period beginning December 23, 2011, and any additional changes
5 13 in the pay plans shall be approved by the governor.
5 14 b. For the fiscal year beginning July 1, 2012, and ending
5 15 June 30, 2013, the maximum and minimum salary levels of all
5 16 pay plans provided for in section 8A.413, subsection 3, as
5 17 they exist for the fiscal year ending June 30, 2012, shall be
5 18 increased by 2 percent for the pay period beginning June 22,
5 19 2012. The maximum and minimum salary levels of all pay plans
5 20 provided for in section 8A.413, subsection 3, as they exist on
5 21 December 20, 2012, shall be increased by 1 percent for the pay
5 22 period beginning December 21, 2012, and any additional changes
5 23 in the pay plans shall be approved by the governor.
5 24 2. For the fiscal years beginning July 1, 2011, and
5 25 July 1, 2012, employees may receive a step increase or the
5 26 equivalent of a step increase. This subsection does not apply
5 27 to employees described in subsection 3.
5 28 3. Notwithstanding the increase in subsection 1, for the
5 29 fiscal year beginning July 1, 2011, salary levels in the pay
5 30 plan for noncontract judicial branch employees, as they exist
5 31 for the fiscal year ending June 30, 2011, shall be increased
5 32 by 2 percent for the pay period beginning June 24, 2011.
5 33 Notwithstanding the increase in subsection 1, for the fiscal
5 34 year beginning July 1, 2012, salary levels in the pay plan
5 35 for noncontract judicial branch employees, as they exist for



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6 1 the fiscal year ending June 30, 2012, shall be increased by 2
6 2 percent for the pay period beginning June 22, 2012.

6 3 4. The pay plans for state employees who are exempt
6 4 from chapter 8A, subchapter IV, and who are included in the
6 5 department of administrative service's centralized payroll
6 6 system shall be increased in the same manner as provided in
6 7 subsection 1, and any additional changes in any executive
6 8 branch pay plan shall be approved by the governor.

6 9 5. This section does not apply to members of the general
6 10 assembly, board members, commission members, persons whose
6 11 salaries are set by the general assembly pursuant to this Act
6 12 or are set by the governor, or other persons designated in
6 13 the section of this Act addressing appointed state officers,
6 14 employees designated under section 8A.412, subsection 5, and
6 15 employees covered by 11 IAC 53.6(3).

6 16 6. The pay plans for the bargaining eligible employees of
6 17 the state shall be increased in the same manner as provided
6 18 in subsection 1, and any additional changes in such executive
6 19 branch pay plans shall be approved by the governor. As used in
6 20 this section, "bargaining eligible employee" means an employee
6 21 who is eligible to organize under chapter 20, but has not done
6 22 so.

6 23 7. The policies for implementation of this section shall be
6 24 approved by the governor.

6 25 Sec. 5. STATE EMPLOYEES == STATE BOARD OF REGENTS. For the
6 26 fiscal years beginning July 1, 2011, and July 1, 2012, funds
6 27 shall be provided from available sources of the state board of
6 28 regents for funding of collective bargaining agreements for
6 29 state board of regents employees covered by such agreements and
6 30 for the following state board of regents employees not covered
6 31 by a collective bargaining agreement:

6 32 1. For regents merit system employees and merit supervisory
6 33 employees to fund for the fiscal year increases comparable to
6 34 those provided for similar contract-covered employees in this
6 35 Act.



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7 1 2. For faculty members and professional and scientific
7 2 employees to fund for the fiscal year percentage increases
7 3 comparable to those provided for contract=covered employees in
7 4 the university of northern Iowa faculty bargaining unit.
7 5 Sec. 6. BONUS PAY. For the fiscal years beginning July
7 6 1, 2011, and July 1, 2012, employees of the executive branch,
7 7 judicial branch, and legislative branch shall not receive bonus
7 8 pay unless otherwise authorized by law, required pursuant to
7 9 a contract of employment entered into before July 1, 2011,
7 10 or required pursuant to a collective bargaining agreement.
7 11 This section does not apply to employees of the state board
7 12 of regents. For purposes of this section, "bonus pay" means
7 13 any additional remuneration provided an employee in the
7 14 form of a bonus, including but not limited to a retention
7 15 bonus, recruitment bonus, exceptional job performance pay,
7 16 extraordinary job performance pay, exceptional performance pay,
7 17 extraordinary duty pay, or extraordinary or special duty pay,
7 18 and any extra benefit not otherwise provided to other similarly
7 19 situated employees.
7 20 Sec. 7. SPECIAL FUNDS. For the fiscal years beginning
7 21 July 1, 2011, and July 1, 2012, salary adjustments otherwise
7 22 provided for in this Act may be funded using departmental
7 23 revolving, trust, or special funds for which the general
7 24 assembly has established an operating budget, provided doing so
7 25 does not exceed the operating budget established by the general
7 26 assembly.
7 27 Sec. 8. FEDERAL FUNDS APPROPRIATED. For the fiscal years
7 28 beginning July 1, 2011, and July 1, 2012, all federal grants
7 29 to and the federal receipts of the agencies affected by this
7 30 Act which are received and may be expended for purposes of this
7 31 Act are appropriated for those purposes and as set forth in the
7 32 federal grants or receipts.
7 33 Sec. 9. STATE TROOPER MEAL ALLOWANCE. For the fiscal years
7 34 beginning July 1, 2011, and July 1, 2012, the sworn peace
7 35 officers in the department of public safety who are not covered



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8 1 by a collective bargaining agreement negotiated pursuant to
8 2 chapter 20 shall receive the same per diem meal allowance as
8 3 the sworn peace officers in the department of public safety who
8 4 are covered by a collective bargaining agreement negotiated
8 5 pursuant to chapter 20.

8 6 Sec. 10. SALARY MODEL ADMINISTRATOR. The salary model
8 7 administrator shall work in conjunction with the legislative
8 8 services agency to maintain the state's salary model used for
8 9 analyzing, comparing, and projecting state employee salary
8 10 and benefit information, including information relating to
8 11 employees of the state board of regents. The department of
8 12 revenue, the department of administrative services, the five
8 13 institutions under the jurisdiction of the state board of
8 14 regents, the judicial district departments of correctional
8 15 services, and the state department of transportation shall
8 16 provide salary data to the department of management and the
8 17 legislative services agency to operate the state's salary
8 18 model. The format and frequency of provision of the salary
8 19 data shall be determined by the department of management and
8 20 the legislative services agency. The information shall be
8 21 used in collective bargaining processes under chapter 20 and
8 22 in calculating the funding needs contained within the annual
8 23 salary adjustment legislation. A state employee organization
8 24 as defined in section 20.3, subsection 4, may request
8 25 information produced by the model, but the information provided
8 26 shall not contain information attributable to individual
8 27 employees.

8 28 EXPLANATION

8 29 This bill relates to the funding for the fiscal years
8 30 beginning July 1, 2011, and July 1, 2012, of salary increases
8 31 for appointed nonelected officers, employees subject to
8 32 collective bargaining agreements, certain noncontract
8 33 employees, and board of regents employees.

8 34 The bill updates the appointed state officers listed under
8 35 the salary ranges for appointed state officers.



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9 1 For FY 2011=2012, the maximum and minimum salary levels of
9 2 pay plans for noncontract state employees shall be increased
9 3 by 2 percent for the pay period beginning June 24, 2011, and
9 4 shall be increased by an additional 1 percent for the pay
9 5 period beginning December 23, 2011. For FY 2012=2013, the
9 6 maximum and minimum salary levels of pay plans for noncontract
9 7 state employees shall be increased by 2 percent for the pay
9 8 period beginning June 22, 2012, and shall be increased by an
9 9 additional 1 percent for the pay period beginning December 21,
9 10 2012. For FY 2011=2012 and 2012=2013, employees may receive
9 11 a step increase or the equivalent of a step increase. For
9 12 FY 2011=2012, salary levels for noncontract judicial branch
9 13 employees shall be increased by 2 percent for the pay period
9 14 beginning June 24, 2011. For FY 2012=2013, salary levels for
9 15 noncontract judicial branch employees shall be increased by 2
9 16 percent for the pay period beginning June 22, 2012.

9 17 The bill prohibits bonus pay for employees of the executive
9 18 branch except for employees of the state board of regents,
9 19 the judicial branch, and the legislative branch, unless the
9 20 bonus pay is otherwise authorized by law, required pursuant to
9 21 an employment contract entered into before July 1, 2011, or
9 22 required pursuant to a collective bargaining agreement.

9 23 A supplemental authorization is provided to fund salaries
9 24 from trust, revolving, and special funds for which the general
9 25 assembly has established a budget.

9 26 The bill appropriates all federal grants to and the federal
9 27 receipts of the agencies affected by this bill which are
9 28 received and are expended for purposes of this bill.

9 29 The bill requires sworn peace officers in the department of
9 30 public safety who are not covered by a collective bargaining
9 31 agreement to receive the same per diem meal allowance as
9 32 the sworn peace officers covered by a collective bargaining
9 33 agreement.

9 34 The salary model administrator is required to work in
9 35 conjunction with the department of management and the



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10 1 legislative services agency to analyze, compare, and project
10 2 state salary and benefit information.

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